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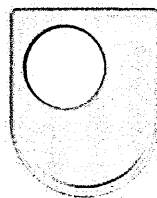
Bonded Labour in Nepal: Life and Work of Children in Communities

Birendra Raj Giri

BA (Hons), MA, MSc

2009

Thesis submitted for the Degree of Doctor of Philosophy
at the Centre for Childhood, Development and Learning (ChDL), the Centre for
Research in Education and Educational Technology (CREET)



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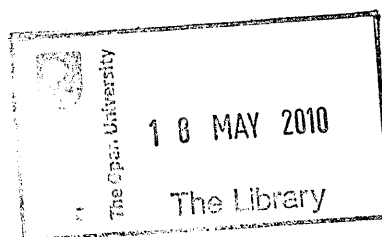
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In Memory of
P. P. S. Giri
(25 April 2009)



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Declaration of Authorship

Many people and institutions have helped me prepare this thesis, and I have used information from various sources and from different people who have expressed their ideas, both formally and informally. However, I am solely responsible for expressing all the information or ideas/theories of people in my own language and style as well as reaching my own conclusion.

The thesis has a total of 99,993 words

Birendra Giri, Milton Keynes (UK)

(28 October 2009)

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My heartfelt thanks to my supervisors, Dr Heather Montgomery and Professor Martin Woodhead as this thesis would not have come into this present shape without their proactive supervision throughout my research. My interest in child labour research was magnified by the courses that I took with Dr Olga Nieuwenhuys, and my initial doctoral research proposal was sharpened by the comments of Professor Kristoffel Lieten. I am grateful to The Open University (OU), Milton Keynes, for granting me a doctorate scholarship, and to the *Prins Bernhard Cultuurfonds* for supporting my field research. I am thankful to the secretaries and other members of The OU's Centre for Childhood, Development and Learning, including Prof. Mary Kellett, and Christine Golding, Peter Barnes, (now retired); the Centre for Research in Education and Educational Technology, including Professor Hilary Burgess and Anne Forward; The OU Research School, especially Paula Piggott; and The OU's Librarians for providing the kinds of supports that I required during my study years.

It was ethically important to use the pseudonyms to disguise the identity of my fieldwork sites and participants, which also meant that I could not make a proper acknowledgement of any of them. Yet, I do want to say 'thank you very much' to everyone, especially those children who accepted me to inquire about their day-to-day personal lives. Many thanks go to my research assistants (Ms S. Giri, Ms. R. Subedi, Ms. S. Chaudhary, and, particularly, Mr. T. R. Chaudhary), who did not mind the heat and dust or even the volatile politics of Nepal in order to support me to successfully complete the fieldwork between 2006-2008. I sincerely thank Mr T. R. Chaudhary's relatives and Mr. S. R. Giri's family for their

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Finally, I am deeply indebted to my illiterate parents (Gauri and Bhagirathi Giri), and my guardian (Dr. Peter van der Lee, Radiologist), in particular, for having an unwavering faith in me, and helping me reach all the way to where I am today, and to R. 'Swonti' Shrestha for trying to help me keep things in perspective at times when I was feeling hopeless.

Note to the Reader

The fieldwork materials for this thesis were transcribed/translated from Musahar and Tharu dialects into Nepali, and then into English. However, some of the most common or key local words/terminologies are glossed and italicised. In the appendix, I have provided a glossary, briefly describing the diacritics and definitions. I must stress that my glossary uses a very simple form of transliteration, and I have not used Devanagari script to distinguish the hard and soft retroflex (e.g. *badarni* and *hat bajar* should normally appear as *bādarnī* and *hāt bajār*). When rendering Musahar, Nepali, and Tharu words, I have tried to follow the usage style of local people instead of what often appear in the non-Nepali reports (e.g. I use *kamlariya* for *kamlari*, *Chhetri* for *Chetri*). In addition, I have not attached a 's' at the end of Nepali terms to make them plural (e.g. *haliyas*, *jamindars*, *kisans*), as most authors do. I have kept the words as they are to imply both singular and plural meaning, and sometimes, I have added another word (e.g. *kisan* families, *haliya/kamaiya* parents) to avoid readers' confusion. Like the fieldwork villages, the identities of all participants have been anonymised in which the names ending with 'e' refer to men/boys while with 'u' represents women/girls. This was done deliberately in order to easily remember the basic personal information of all participants while keeping them anonymous. However, I have used a number of photographs of my child participants in the thesis only after obtaining their, as well as their parents' verbal approval.

The readers who are particular about transliteration may disagree with the way I have presented Nepali and other languages in the thesis. However, I feel that the

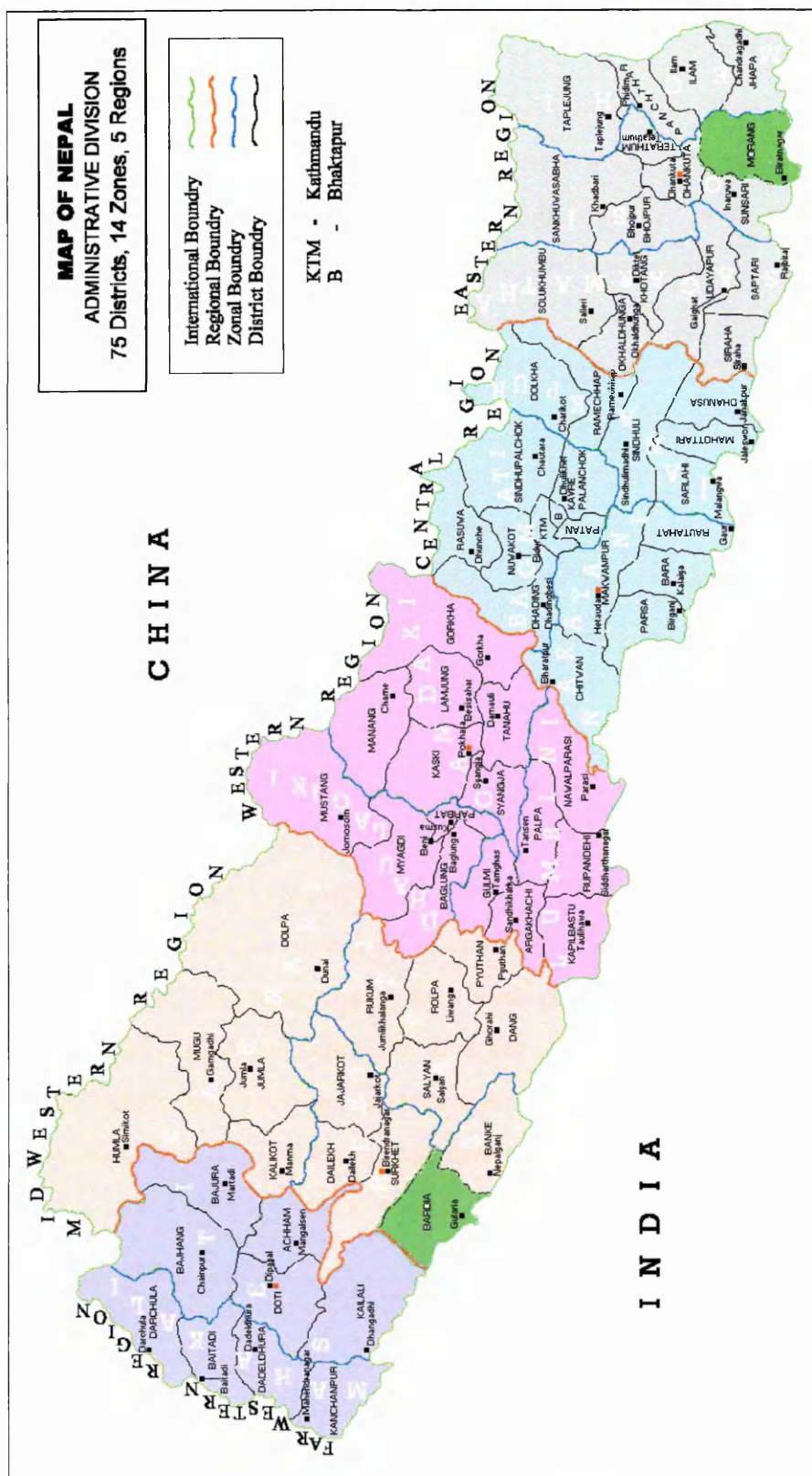
simplified use of local words/terminologies serves my research purposes, especially when I intend to reach readers from all walks of lives to grasp the substantive elements of the *haliya* and *kamaiya* labour practices in Nepal. For those readers who might find the use of local words as a distraction, I would like to stress that they are reading about the lives of multilingual Nepali people, and as the translations normally hold approximate meaning, the use of original terms gives a flavour to my study subject and the communities.

The Nepali laws and some literature that I have used has been published in Nepal have used the Bikram Sambat-based Nepali calendar, which is approximately 57 years ahead of the Georgian calendar. I have sometimes abbreviated Bikram Sambat as BS, and, where appropriate, glossed AD next to it.

Abbreviations

ASI	Anti-Slavery International
CWA	Child Workers in Asia
CWIN	Child Workers in Nepal
GoN	Government of Nepal
HMG/N	His Majesty's Government of Nepal
HDI	Human Development Index
HPMEC	Human Participants and Materials Ethics Committee
ILO	International Labour Organization
IPEC	International Programme on the Elimination of Child Labour
PRSP	Poverty Reduction Strategy Paper
INSEC	Information Sector Service Centre
IYC	International Year of the Child
NDHR	Nepal Human Development Report
NGO	Non-Governmental Organisation
NLSS	Nepal Living Standards Survey
NRs.	Nepali Rupees (as of early 2009, NRs.100 ± €1, or NRs.75 ± US\$1)
NDC	National Dalit Commission
NTG	Nepal Tamang Ghedung
SLC	School Leaving Certificate
TBP	Time Bound Programme
UNCRC	United Nations Convention of the Rights of the Child 1989
UNICEF	United Nations International Children's Emergency Fund
UNESCO	United Nations Educational, Scientific and Cultural Organization
VDC	Village Development Committee

Figure 1: Map of Nepal Indicating Bardiya and Morang as Fieldwork Sites



Abstract

This dissertation focuses on the lives of Nepali children working under *haliya* and *kamaiya* systems. The former refers to people from various castes and ethnicities, including Musahar, predominately found in the far-western hill region of Nepal, who work as 'temporary' agricultural labourers for *kisan* (small landowners) to meet their daily needs, and also, often, to pay their debts. The latter exclusively implies ethnic Tharu families from the western Tarai districts, who have been tied to their *kisan* for generations. The United Nations Working Group on Contemporary Forms of Slavery calls those people bonded labourers.

Although detailed research is almost non-existent, especially concerning *haliya* practices, advocacy groups and the International Labour Organisation argue that bonded labour has continued even after the government banned it in 2000. Children in particular have increasingly taken on the activities previously carried out by their parents. This study was carried out in the pseudonymous Bayibab and Nayajib settlements of Morang and Bardiya districts, respectively, exploring Musahar/Tharu children's bondedness at work, including their motives and rationale for entering into bonded labour, the ways in which they understand it and its significance in the context of their lives. I conducted a series of semi-structured interviews and group discussions with 58 *haliya/kamaiya* children (ages ranging from 8 to 16 years), applying 'child-friendly' research techniques in order to uncover their everyday life-worlds from their own perspectives. My interviews with, and observations of, working children, parents, and *kisan* also provided a rich source of ethnographic data concerning bonded child labour.

This research shows the complexity in Musahar/Tharu children's constructions of *haliya/kamaiya* systems. It includes their assessment of their own health and well-being and their current and future prospects while being engaged in bonded child labour.

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CHAPTER I

Bonded Labour System in Nepal: Exploring Haliya/Kamaiya Children's Life-worlds

1.0 Introduction

In Nepal, the terms *haliya* and *kamaiya* are generally translated as an agricultural bonded labourer.¹ The term *haliya* is derived from the word *halo*, which means plough in the Nepali language. In literal sense, a *haliya* is someone who ploughs the field, but he is also known as 'permanent' or 'long-term' contract labourer as he works for a daily or fixed wage. The *haliya* workers are generally free to bargain for better earning or choosing different employers, but their landlessness and abject poverty allows *kisan* to use them all-year-around (Robertson and Mishra 1997: 1). For them, the problem of bondedness² begins when working only during the farming season is insufficient to meet the daily

¹ While the literature on *haliya* practice is almost non-existent, some (historical) discussions about the *kamaiya* system can be found in INSEC (1992), Posel (1995), Robertson and Mishra (1997), Rankin (1999), Pokhrel (1999), Kunwar (2000), Lamichhane (2005), Chhetri (2005), etc. It is crucial to emphasise that these authors often express divergent viewpoints concerning the evolution of *kamaiya* labour in Nepal.

² This study defines bondedness as a condition where the socio-politically better off elites exert domination over deprived peoples through economic, psychological or sociocultural means of persuasions or threats. This may appear to be a considerably broad definition, but the *kamaiya* and *haliya* practices are difficult to pin down because of varying perspectives and conditions - particularly the bondedness thorough debt that is, in reality, quite dynamic. As such, as Bales stresses, any useful definition must be kept general so as to encompass the wide variations of form in which bondedness takes place (Bales 2004: 280).

needs of family and that loans must be taken from elsewhere. It the *kisan*, who is often the nearest person willing to offer some credit in return for cheap labour, but verbal accounting and an extremely high interest rate increases their vulnerability to generational bonded labour (Robertson and Mishra 1997: 28-29). Likewise, in ethnic (Dangura) Tharu³ language, a *kamaiya* means a hard-worker (see Krauskopf 1989, Skar 1999, Ødegaard online for the sociocultural aspects of Tharu community), but in Nepali, it means a hired worker, who is given some remuneration for his labour (Jha 1999, Giri 2007b). Within the Tharu culture, working on someone else's land as a *kamaiya* is thought to be normal. The agreement usually involves labour exchange or certain remuneration rather than a compulsion to work (Robertson and Mishra 1997, Rankin 1999, Kunwar 2000, Lowe et al. 2001). However, it is generally accepted that when the Government of Nepal rapidly expanded agricultural land usage in the Tarai region in the 1950s, it produced a different kind of *kamaiya* system in which a section of the Tharu population was rendered landless, and was forced to survive on a daily wage (Regmi 1978, Krauskopf 1989, Posel 1995, Guneratne 1996, Skar

³ Some claim that the word *Tha* means border and *Ru* means to live (apparently in Tibetan language) thereby implying that those who live along the Nepal-India border are Tharu people, but several scholars stress that the origin and meaning of the Tharu ethnicity is rather complex. In Nepal, with the total national population of about 1.7 million (or 6.7 percent), the Tharu people constitute one of the largest indigenous inhabitants of the once malaria prone southern fringes spreading across 22 districts, but are particularly numerous in the Naya Muluk (i.e. Dang, Banke, Bardiya, Kailali, and Kanchanpur) in which, for instance, Bardiya district population constitutes of about 52 percent Tharu people. They are divided into four main groups (namely Chitwan Tharu, Dangura Tharu, Rana Tharu, and Katharia) and some 26 major sub-groups (e.g. see Bista 1996, Guneratne 2002, Ødegaard online). The Tharu ethnic group are also found in the parallel districts of India, extending from Champaran, Bihar, to Naini Tal, Uttar Pradesh. In terms of religion, Tharu people practice an amalgam of beliefs from animism, Hindu deities, and Muslim saints, but the *shaman* is the central religious figure, who is able to combine supernatural powers of all three-belief systems to protect its subjects (ibid.).

1999, Shrestha 2001). They started to join annual *kamaiya* contract during the *Maghi* festival (mid-January). Within a short span of time, it became a tradition that a male *kamaiya* must take a *bukrahi* (or domestic servant) with him, which could be his wife, or otherwise, his mother or sister. These additional 'helpers' receive a nominal payment (Rankin 1999: 35-37). Those who owe *saunki* (a sum of money borrowed to pay for family's subsistence) and are unable to pay, become quite vulnerable to falling in the debt trap within a few years (cf. Gurung 1992). If the *saunki* is not cleared, a *kamaiya* may not be able to leave his employer unless a new *kisan* comes along to pay the outstanding debt, and takes him to work for him (Giri 2007b).

However, there are numerous local terms, which are often synonymously applied to agricultural contract labourers working on the basis of daily wages, long-term farm contracts or in conditions of bondedness (see Appendix 4 for a list of local terms). For instance, an estimated 50,000 animal herders are variously known as *charuwa*, *chhegar*, *gai-bhaisbar*, *gothalo* etc., and these are sometimes included in *haliya* and *kamaiya* terminologies (Sharma and Sharma 2002). As so many concepts with similar meanings can be confusing to the reader, this thesis has deliberately used only two terms: *haliya* and *kamaiya*. In my study of the lives of children who work for *kisan*, *kamaiya* implies ethnic Tharu people/children under that system, and families from other castes/ethnicity, including Musahar⁴ families are grouped as *haliya* workers.

⁴ With regards to the Musahar community, some researchers write: 'The caste name Musahar probably derives from the traditional caste activity of collecting and eating field rodents. Mice and rats are called *musa*, and *har* refers to the killing. After paddy fields have been harvested, some Musahar dig up underground rodent nests to collect the mice and their stores of paddy grain to eat. Some landowners allow Musahar mice collectors on their private holdings without

Although Chapters 3 and 4 offer more details about Musahar and Tharu community, I will not go into the depth of the history or the terms of *haliya* and *kamaiya* systems because the primary objective of this research is to examine the socioeconomic and contractual conditions of bonded labour and how they affect children in particular. I offer a detailed account of bonded labour practice in Nepal as well as making suggestions, which might help researchers, and policymakers consider different ways of conceptualising and tackling children's bondedness.

An extended period of fieldwork was conducted among a group of ethnic Musahar and Tharu children, who work as *haliya/kamaiya* labourers, from Morang and Bardiya districts, respectively (see page viii for a map Nepal). These children took part in individual and group interviews and discussions explaining their understandings of bonded labour and its impact on their everyday lives. They talked about their living and working conditions at the employer's house as well as their own homes, and reflected on their future prospects.

1.2 Rationale for the Current Research

I had both personal and academic rationales for starting research on working children's lives. Firstly, I would probably not have chosen the current topic if my own childhood background was that of an urban middle class Nepali child (i.e. if I

compensation or restriction; others demand up to 50% of the paddy collected. A few farmers do not allow it at all, preferring not to have the bunds damaged' (Subedi et al. 1993 cit. Giri 2009a: 20). The Musahar population (0.78 percent of the national total) is concentrated in the east-central districts along the Indian border, but the same ethnic group is also found on the other side of the border. Like their Tharu counterparts, Musahar people also follow a religion that combines animism, including family and village deities, and several Hindu gods (NTG 2006).

had been able to spend time playing and studying). Born into a subsistent farming family in a remote village of Nepal, I was expected to work from an early age engaging in various activities like cutting grass/firewood, fetching water, cooking meals, washing clothes/utensils, tending my siblings, shepherding animals and cleaning up animal dung/huts. For instance, by the time I was six years old, I was taking care of my brother; upon reaching my tenth birthday, I would be collecting grass/firewood from the forest, which was several hours walk away. During the monsoon season, I had to work on the farm for up to 16 hours a day, and during the harvesting period, I would work the same hours. On top of this, I was attending school, which would take an hour and a half on foot to reach, and where the classes were held under the banyan tree (see Giri 2007a for details).

The idea of children getting an education (i.e. being able to read and write) was just beginning to gain a ground in my village when I first enrolled in school in the mid-1980s. Even then, the top priority of poor parents like mine was food security and family survival (Nag et al. 1978: 293, Blaikie et al. 2002: 1268). This meant that the only children who would not be engaged in agricultural and domestic work were those who came from large or relatively rich families and, even in these, many girls would be working hard in the domestic sphere. My isolated and illiterate village community was (and, in many respects, still is) unaware of various laws enshrined in national and international documents⁵ to 'protect' children, and there was no thought that work could be detrimental to children's health and wellbeing (Parker 1999, Forastieri 2002, Woodhead 2004,

⁵ This aspect will be further discussed in Chapter II and III.

Reading et al. 2008). This continues to be the case in many parts of Nepal - a country where literacy rate is about 50 percent, where over 80 percent of the population live in rural areas, and where almost 40 percent of them live in absolute poverty⁶ (Blaikie et al. 2002, Seelaus 2004). The remoteness of communities such as my own is one of many obstacles to ensuring their perspectives are represented in research and policy debate. In my village, for instance, there were no newspapers, hardly any villagers owned a radio, and even in regards to socioeconomic inequality, people held a fatalistic attitude that bad *karma* (destiny) made them poorer than others, and that they could do little to reverse this fact (Macfarlane 1990, Bista 1991).

Despite combining fulltime domestic/agricultural work and study, I was able to complete secondary education several years ahead of children from my village.⁷ Two years after that, in the mid-1990s, I received an opportunity to go to the Netherlands for higher education. It was at this time that I first read, in newspaper articles, about the problem of Nepali carpet factories using 'child labour' complete with images depicting the miserable conditions of these children. When I started my graduate study, I began to read the academic literature about working children, which showed that, since the adoption of United Nations Convention of the Rights of the Child (UNCRC),⁸ the issue of

⁶ The term absolute poverty is defined as 'a condition characterised by severe deprivation of basic human needs,' and is often quantified as earning less than a US dollar a day (NHDR 2004).

⁷ This had largely to do with the fact that my father made me study from the age of 4 even though attending school was not generally considered important at that time (see Giri 2007a for details).

⁸ UNCRC was adopted on 20 November 1989, which came into force on 2 September 1990, is designed with a goal of securing rights for all children worldwide (see Noguchi 2002, Hanson and Vandaele 2003, Archard 2004). As of October 2009, except the United States, all the other 192 members of the United Nations have signed and ratified the UNCRC. The ratifying countries have

working children had emerged as a 'burning question' in policy and academic research (Lieten 2005a: 13-14). I read reports which stated 'I have seen children that walked around in a desolate state, shabbily clothed children that dragged stones or, in roadside restaurants and tea houses, carried out every kind of task imaginable, and, from morning to night, season by season, didn't do anything but clean cups in dirty water, rinse dishes and set tea' (ibid.). Although this excerpt is based on the lives of working children in an urban area, I felt that the situation in rural villages such as my own could be worse. Besides household tasks, children have to carry out backbreaking agricultural work while their parents remain unaware of the physical and psychosocial health risks (Parker 1999, Forastieri 2002, Woodhead 2004, Reading et al. 2008). However, those who immersed themselves into rural communities in various countries to study children's contribution to the household economy (for example Nag et al. 1978, Reynolds 1990, Nieuwenhuys 1994, 2005, Blanchet 1996, Hollos 2002) appeared to be less interested in exploring children's viewpoints. As Lieten puts it, social researchers did not raise questions such as: 'How does a child experience the norms and truths in his/her own life and what does s/he think of the community that for many of its children cannot translate the ethical high grounds about children into reality?' (Lieten 2005a: 8). I felt that a research, which offered detailed accounts of working children's life-worlds from their own perspectives, was seriously lacking (Pole et al. 1999, Woodhead 1999a).

With the enactment of UNCRC, which called for a child-centred approach to protecting children, including from child labour, social researchers, the

promised promising to transform the UNCRC Articles into national, administrative law in order to protect children (see Tomás 2008 for a critical overview).

governments of the developing world, and some advocacy groups, began criticising the ILO Minimum Wage Convention 1973 that the ILO had so far been pursuing with the ultimate aim of completely abolishing child labour (Cox 1999, White 1999, Karunan 2005). By the mid-1990s, however, the ILO recognised some of the 'problems' with the 1973 Convention and sought to introduce another convention that could be widely endorsed by its member states (Myers 2001). The result was the adoption of Convention No.182 (and the Recommendation 190)⁹ in 1999, which dealt with the child labour problem by targeting the most harmful sectors immediately. Having been identified as the country with the highest numbers of child labourers in South Asia¹⁰ and also thousands of bonded labourers, His Majesty's Government of Nepal banned the *kamaiya* system on 17 July 2000 and also ratified the Convention No.182 in February 2002.¹¹ These moves were primarily aimed at paving the way for ILO-

⁹ The full name is 'The Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, 1999 (No.182)', which was unanimously adopted on 17 June 1999. The other ILO document, which set out a universal minimum age for children to get involved in economic activities, is called the Convention concerning Minimum Age for Admission to Employment, 1973 (No.138). As of October 2009, ILO Convention No.182 and Minimum Age Convention No.138, have been ratified by 169 and 151 (out of 177) ILO member states, respectively. However, the Convention No.182 is known as one of the most rapidly ratified conventions in the ILO and UN history (for more details, see Anker 2000, Myers 2001, Invernizzi and Milne 2002, Noguchi 2002, Hanson and Vandaele 2003, Dahlén 2007, Bourdillon et al. 2009).

¹⁰ South Asia normally refers to Bangladesh, Bhutan, India, the Maldives, Nepal, Pakistan and Sri Lanka, but sometimes, Afghanistan and Myanmar (Burma) are included in this region. Having more than one fifth of the global population, South Asia is both the most populous and most densely populated geographical region in the world.

¹¹ His Majesty's Government of Nepal ratified UNCRC in 1992, and subsequently introduced a number of pro-child and labour laws and decrees. On 6 September 2009, the First Republic of Nepal Government led by the then Nepal Communist Party (Maoist) declared the use of *haliya* labour illegal (see later sections for more details). It may be worth noting that Nepal was a kingdom since 21 December 1768, but it was declared a republic on 28 May 2008 in which the

IPEC¹² to launch a 'Time Bound Programme' (TBP), aimed at rehabilitating around 127,000 formerly bonded people. In July 2009, for instance, the outlawing of *kamaiya* system completed its ninth year, but advocacy groups and newspapers have not stopped arguing that Tharu people's bondedness continues (OHCHR Nepal 2009, US Department of State 2009). They further stress that the number of children working in situations similar to bonded labour may actually be rising as parents have been removed from the *kisans'* homes without having been given the basic means of survival¹³ (Giri 2004, 2009a). In 2006, ILO-IPEC carried out second survey (first one being in 2001) and reported that some

so-called Maoist rebels entered into a mainstream politics abandoning more than a decade-long violent insurgency.

¹² In 1992, the ILO established the International Programme on the Elimination of Child Labour (IPEC) in order to abolish child labour worldwide, but since 1999, the IPEC has been carrying out its Time Bound Programme, which is closely linked with the ILO Convention (No.182). The TBP is 'essentially a set of tightly integrated and coordinated policies and programmes to prevent and eliminate a country's worst forms of child labour within a defined period of time. It is a comprehensive approach that operates at many levels, including international, national, provincial, community, and individual or family... TBPs emphasise the need to address the root causes of child labour, linking action against child labour to the national development effort, with particular emphasis on economic and social policies to combat poverty and to promote universal basic education and social mobilisation' (US Department of Labour cit. Giri 2009a: 15).

¹³ It is widely felt by the general public in Nepal that the government fails to fulfil its promises. As of October 2009, newspapers and advocacy groups have continued to raise the issue of rehabilitation of 'freed' *kamaiya* families. The latter have supported sporadic street protests demanding a complete abolition of *haliya/kamaiya* systems in practice, rather than just in law books. A number of examples can be found in the recent news clips, including 'Indefinite transport strike in Bardiya' or 'OHCHR-Nepal calls for an end to Kamalari system' (*Kantipuronline.com* cit. Giri 2009a: 15). Meanwhile, an online news portal of Nepal reported in October 2009 that an NGO called Friends of Needy Children (FNC), working for the welfare of *kamlariya* girls reportedly prepared a guideline for their complete rehabilitation; although the source was not clearly identified, it also stated that there are nearly 4,695 girls working as *kamlariya* in Dang, Bardiya, Kailali and Kanchanpur districts, and, surprisingly, Dang was declared a *kamlariya* free district already in January 2009 (Giri 2009a: 20).

14,000 *kamaiya* families had yet to be rehabilitated (ILO-IPEC Nepal 2006). Based on various reports and its own findings, ILO-IPEC initiated the second TBP in early 2008 to continue supporting *kamaiya* families, but this time, it also included *haliya* labourers from Dhanusa, Siraha and Saptari districts (Dhakal 2007, Giri 2009a, 2009b). Nonetheless, an extensive consultation with *haliya/kamaiya* families, and especially with their children to understand their daily circumstances, is yet to be undertaken. To me, this is a major issue because, as Lieten (2005: 7) puts it, 'the wealth, the welfare and the knowledge are generated by processes at the bottom layers of society, and that solidarity with these layers assumes an understanding of that world.' My current aim is to fill this vacuum by offering a detailed account of the worldviews and expectations of *haliya* and *kamaiya* children, who come from ethnic Musahar and Tharu communities.

1.3 Objective of the Study

This research was planned around the following two interlinked questions:

What are the socioeconomic conditions of bondedness under the *haliya/kamaiya* systems, and how do they specifically affect children?

The first question sought to explore the overall circumstances of the bonded labourers, including the conditions for their becoming a *haliya* or a *kamaiya*; the actual terms of contract between employers and employees, the types of work they undertook and the living facilities they had. As in other developing countries, the overall picture of Nepali child workers shows that a vast majority

of them are working within their own families or for someone else they know (Ennew et al. 2003, Boyden et al. 1998). However, the hardships are likely to be much greater for the *haliya* and *kamaiya* children, who work at other people's farms and homes for a little or no payment, and in many cases to pay the debt owed by their families (cf. Gurung 1992). This is why the second question was concerned with bonded children's daily life realities, and, in particular, their views on the physical and psychosocial impacts of work.

The principal objectives of this research were, therefore:

- a) To analyse the social norms and interactions that keep the *haliya* and *kamaiya* systems intact.
- b) To investigate the conditions of bonded children along with the socioeconomic characteristics of their families.
- c) To elicit the worldviews and expectations of working children from the Musahar and Tharu families.

The first objective, which was designed to inform a better overall understanding of the systems themselves, was pursued by analysing available literature and talking to different stakeholders (e.g. NGOs, government officials, local researchers, community leaders, and employers). Through in-depth interviews, observation, and group discussions, the second and third objectives, which formed the major part of this research, exclusively focused on the bonded children's understanding of their work and its impact on their everyday life-worlds. In doing so, this research was able to offer a) a detailed analysis of terms and conditions of the *haliya* and *kamaiya* systems, and children's work under

such practices, and b) working children's views on how the bonded arrangements affect their physical and psychosocial wellbeing. Furthermore, the analysis of seasonal variation and geographical differences of children's 'bondedness' has also become to be beneficial to the NGOs and policymakers.

1.4 Terms and Definitions

The field of child research, and especially child labour research required me to discuss numerous local and global concepts, many of which are highly contested. I will explore these concepts in detail later in the thesis. At the outset, I offer a brief explanation of some of the key terms used in the context of Nepal, notably 'child', 'work', 'labour', and 'bondedness' and then present my detailed analysis.

In Nepal, several local words refer to 'child' and the legal instruments have been formulated accordingly. For instance, the Labour Act 1992 defines *ketaketi* (or young children) as those below 14 years old, and a *nabalak* (or minor) to be between 14 and 18 years old whereas the Children's Act 1992 refers to *balak* (or child) who is less than 16 years old. However, the Child Labour (Prohibition and Regulation) Act 1999 has amended both previous Acts and defines a *balak* as a person less than 16 years old and a *nabalak* is someone who is between 16 and 18 years old. By demanding that all children attend at least 5 years of compulsory formal education, these acts forbid the child employment below the age of 14 although household and family-based work is excluded (Baker and Hinton 2001). There is a fundamental contradiction in these laws because the government issues a national identity card called *nagarikata* (citizenship) as

soon as the child reaches the age of 16, making him/her legally responsible for all their actions. At the same time, the government has followed the ILO Convention No.182 (i.e. accepting a child as someone of 18 or below) while prohibiting bonded child labour. As a national and international legal standard, therefore, this study is also forced to accept it even though my fieldwork participants were between aged 8-16 (see also methods chapter).

Distinctions around what counts as 'work' versus 'labour' are a core concern of the thesis, building on earlier analyses, notably White 1996, Boyden et al. 1998, Hobbs and McKechnie 1998. The debate on 'work' and 'labour' generally centres on judgements about harm and/or exploitation. In Nepal, advocacy groups use the term 'child labour' for a range of children's activities and they have been pressuring the government to ban all children's 'work' as 'labour'. Like the concept of 'the child' and childhood discussed in later sections,¹⁴ social researchers argue that what constitutes child work or labour varies across different cultures and contexts, and that these two should be separated by way of a detailed case-by-case study (Boyden et al. 1998, Ennew et al. 2005).¹⁵ In practice, however, it may be difficult to conduct a holistic study of working children in each particular culture/society, especially given the dominance of anti-child labour organisations like the ILO, who derive their anti-child labour policies from Euro-American conceptualisations of ideal childhoods, which can

¹⁴ For details on the issue of child and childhood, see Chapters II and III.

¹⁵ For some researchers (e.g. White 1996, Boyden 1997, Boyden et al. 1998), the term child labour implies a very narrow scope as it excludes children aged 12 and over in so-called 'light work' involving a few hours per week work as well as those 15 years and over working under 'hazardous' category (Alaraudanjoki 2004: 2).

appear insensitive to the realities of other childhoods (Ennew et al. 2003). As such, we are bound by international legislations, including ILO Convention No.182 to use the term child labour even if one finds the concept of child labour overtly negative (Lieten 2005a). What remains under researched (and in particular less recognised by anti-child labour activists) is the fact that children's experiences can be both negative and positive depending on the circumstances in which they are working (Hobbs and McKechnie 1998, 2007, Woodhead 1998a). In recent years, child-centred researchers have been arguing that the narrow definition of child labour, as used by the ILO, may be appropriate to refer to certain types of children's work in order to raise public awareness and to initiate policies against harmful children's work in the both physically and psychosocially hazardous environments. This, for instance, includes children working as bonded labourers in factories, agriculture, or in domestic spheres (Lieten 2002, 2004). In this study, therefore, I have generally used the term child labour while acknowledging the need to differentiate work from labour whenever possible (see Chapter II for a fuller discussion on 'work' and 'labour').

This thesis focuses on a particular form of labour, described as being 'bonded' to their employers. The United Nations Working Group on Contemporary Forms of Slavery (1998) has included the use of *kamaiya* labour in Nepal as a form of debt bondage, which is defined in the 1956 Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery as

The status or condition arising from a pledge by a debtor of his personal services or of those of a person under his control as security for a debt, if the

value of those services as reasonably assessed is not applied towards the liquidation of the debt or the length and nature of those services are not respectively limited and defined (Article 1a).¹⁶

Although the term *haliya* has not been included in either national or international legal documents,¹⁷ Robertson and Mishra (1997) have also included it as a form of 'modern day slavery' while preparing a report on *haliya/kamaiya* practices for the Anti-slavery International (ASI).¹⁸ In subsequent reports, the ASI has used the following definition to

A person enters debt bondage when their labour is demanded as a means of repayment of a loan, or of money given in advance. Usually, people are tricked or trapped into working for no pay or very little pay (in return for such a loan), in conditions that violate their human rights. Invariably, the value of the work done by a bonded labourer is greater than the original sum of money borrowed or advanced (ASI cit. Giri 2004: 1).

¹⁶ This definition suggests that debt bondage involves at least three conditions: a) personal service or those kept under loan security, b) services value does not liquidate debt, and c) unspecified nature and length to pay the debt. The vast majority of *kamaiya* workers reportedly fall under the first condition though some *kamaiya* families may be bonded for generations, and are unaware of how their forefathers incurred the debt or the conditions of the original bondage (Robertson and Mishra 1997, Rankin 1999, Lowe et al. 2001, Edwin et al. 2005).

¹⁷ Despite the lack of studies on *haliya* practice, advocacy groups claim that 'the [*haliya*] problem is not simply a matter of poverty and indebtedness; it is deeply rooted in the complex caste system which discriminates against groups identified as 'untouchable' by higher castes. The majority of *haliya* are 'untouchable' and the caste system locks them into a servile status in relation to high-caste Nepali landowners' (CWA Newsletter 13 cit. Giri 2004: 2).

¹⁸ As elaborated later, on the other hand, Sharma (1998), and Sharma and Sharma (2002) who have carried out a number of surveys about the *haliya* workers, tend to see it as a permanent or long-term farm contract based on fixed wages (rather than 'modern day slavery' used by advocacy groups), but they also acknowledge that some families do have debts and that they must work until it is cleared.

Nearly two years after the decree against the *kamaiya* system,¹⁹ His Majesty's Government of Nepal introduced the so-called Kamaiya System (Prohibition) Act 2002, which defines bonded labour as follows:

Kamaiya labour means the labour or service to be provided by a person to his creditor without any wages or at low rates of wages for the following reasons:

- (1) To repay loans obtained by him or any members of his family, or to pay interest thereon.
- (2) To repay loans obtained by ancestors, or to pay interest thereon.
- (3) To repay the *Kamaiya* loans of a *Kamaiya* labourer for whom he had provided surety to the creditor (cit. Kvalbein 2007: 3).

In fact, advocacy groups, including the UN organisations, have called not just the *kamaiya* system, but also *haliya* practice as one of many contemporary forms of slavery (e.g. Lee-Wright 1990, Miers 2003, Bales 2005, van de Geld and Kooijmans 2008). However, I have refrained from using the same term in the same way because my participants, albeit doing very hard work, did not appreciate the label when I translated into Nepali as *dasipratha* or *dasata* – it

¹⁹ On 17 July 2000, the Nepali government banned the *kamaiya* practice by announcing: 'The act of working and making one work as *kamaiya* on the basis of any written or verbal bond or against the existing law will, hereafter, be punishable and that any such deeds signed for this purpose with any *kamaiya* labourer or any member of his family will be regarded null and void from today; those keeping *kamaiya* shall be jailed for up to ten years' (*The Rising Nepal* cit. Giri 2009a: 20). While many *kamaiya* families have come out of their debt trap after the government decree, some are thought to be still in bondage and others have gone back to *kisan*, as their (legal) 'freedom' from bondage did not come with the means to support households independently.

was too negative to refer to their work. I have put forward the following definition of bonded labour.

It is a mutual agreement between an employer and (an agricultural labourer) under which the latter consents to offer his/her labour on the basis of certain cash and/or payment-in-kind for a fixed period of time, or in the case of debt, without remuneration as long as the outstanding loan remains to be paid back.

This broad definition is particularly helpful for a number of reasons. Before the government banned the *kamaiya* system in 2000, the terms *haliya* and *kamaiya* generally did not differentiate between women and children who worked alongside their husbands/parents (Giri 2007b). Today, the majority of bonded labourers are children, who have to carry out a combination of different tasks. Although the laws against bonded labour allows them to be much more free than their parents to make or break contracts, they often take wages in advance or loans promising to work for their lenders. If they fail, due to any reason, the contract period increases automatically, and in order for a *haliya/kamaiya* labourer to terminate the contract, the outstanding debt is serviced by sending another member of the family to work for the *kisan* – a similar situation as in the pre-2000 era. As *haliya* and *kamaiya* terms increasingly refer to children only,²⁰ I will be calling the adults differently when necessary to make that point explicitly.

Since bonded labour has been outlawed, I should be using the term ‘former *haliya*’ or ‘*kamaiya*’ while discussing the lives of Musahar/Tharu families. As

²⁰ As it will be discussed in later chapters, my participants, Musahar and Tharu children, wanted themselves to be called a *haliya* or a *kamaiya*, and not slaves, or by any other names.

already noted, however, even those involved in the ILO-IPEC rehabilitation programme acknowledge that *kamaiya* labour still continues, and children's bondedness appears to have sharply increased when *kamaiya* families were removed from their *kisans'* houses (Edwin et al. 2005, Dhakal 2007, Giri 2009a). Because of this, I have purposely avoided using 'former *haliya*' or '*kamaiya*' except where children are no longer working. Likewise, instead of separating the two groups, I have jointly used *haliya/kamaiya* to refer bonded labour in Nepal because my Musahar and Tharu participants come from relatively similar sociocultural geographic, and economic conditions.

In Nepal, advocacy groups have used the term *jamindar* (landlord) to describe the employers of *haliya/kamaiya* labourers, but the 1964 Land Reform Act abolished the landlord system, and Musahar and Tharu families use the word *kisan* instead of *jamindar*.²¹ This research has used the term *kisan* throughout unless it is a quote or refers to the events before 1964.

Finally, researchers have used various binary terms like developed/developing, minority/majority world, North/South, Western/non-Western, Third World, etc. to distinguish between rich industrialised countries and the poor non-industrial ones. Such terminologies are not problem free, however. The term Third World is no longer relevant after the collapse of the Socialist bloc (or the Second World), and using Eastern and Western or North and South seems technically incorrect

²¹ There are disagreements about what really constitute a *jamindar* and some have argued that there are no such farmers anywhere in Nepal (e.g. Marks 2003) while others see landlessness, especially among the low castes as one of the major causes of poverty, and the continuing political turmoil (e.g. Karki 2002, Upreti 2004, Murshed and Gates 2005).

(cf. Alaraudanjoki 2003: 194). Therefore, this thesis applies the term 'Euro-American' (Woodhead 1999b) where authors refer to Western ideas or influence, and for the rest, it sticks to 'developed' and 'developing countries' in which the latter has a high incidence of child labour. Likewise, both local and international human rights activists and non-governmental organisations, excluding the UN agencies, are collectively called the 'advocacy groups.'

1.5 Organisation of the Thesis

This dissertation is organised in the following way. Chapters II and III explore the theoretical debates regarding childhoods and child labour, including literature concerning Nepal's *haliya/kamaiya* systems. After discussing the theoretical framework of this study, Chapter IV explains the research setting, methodological issues, and ethical dilemmas encountered while writing this dissertation. Chapter V compares the differences between pre-and post-2000 *haliya/kamaiya* practices as perceived by children as well as parents. In Chapter VI, I provide a detailed account of how the promise of education from the *kisan* plays an instrumental role between parents, *kisan*, and children.

Chapter VII discusses bonded children's future expectations, including their reflections on their understanding of *haliya/kamaiya* practices. Chapter VIII further elaborates children's constructions of bonded labour by focusing on their perceptions of the negative and positive impacts on their physical and psychosocial health and well-being. In this regard, I borrow Hobbs and McKechnie's Balance Model (1997, 2007) in order to weigh children's analysis of

the costs and benefits of *haliya/kamaiya* work in a way that is relevant in the Nepali sociocultural context. Finally, Chapter IX provides a critical overview of childhoods and child labour/work in relation to bonded labour practice in Nepal, and it also offers a reflective account of the research process, including fieldwork in Morang and Bardiya districts. The chapter concludes by on the entire research process and its contribution to academics and policymakers, and making a number of recommendations for the future research directions.

CHAPTER II

Constructions and Reconstructions of Childhoods: A Theoretical Framework for Studying Haliya/Kamaiya Children

2.0 Introduction

It is difficult to contextualise child labour in Nepal without considering the Euro-American discourses of childhood and child development (Boyden 1997, James and Prout 1997, Boyden et al. 1998, James et al. 1998, Christensen and James 2000, Jenks 2005, Qvortrup et al. 2009). Research conducted by developmental psychologists, in particular, has profoundly influenced the ideas about childhood in Euro-American societies throughout the twentieth and twenty-first century (Wyness 2000, 2006), and its universal approach continues to affect people worldwide through the 'globalisation of childhood' (White 1996, 2003, Karunan 2005). In discussing discourses of childhood in Europe, the sociological and historical work of Philippe Ariès is considered first, followed by a longer discussion of developmental psychology in which a special attention is paid to Jean Piaget's 'stages' theory that has continued to have a strong footprint not just on childhood studies in the developed world, but also on the current child labour debate globally. In concentrating on these influential theorists, however, I acknowledge that they represent much wider fields of child research, comprehensive review of which is beyond the scope of this thesis.

2.1 Historical Origins of Theories of Child and Childhood

Although the precise origin of childhood continues to be debated (see Prout 2005), Philippe Ariès' *Centuries of Childhood* (1962) is considered a classic reference for Euro-American childhood²² studies and, by extension, present-day children's issues (Wilson 1980). The book is a detailed historical analysis of artistic representations of European children in which Ariès contends that the notion of childhood was absent in medieval Europe even though a large part of the population consisted of children (Ariès 1962: 12). In suggesting that childhood is a social construct, Ariès (1962: 128) writes:

In the medieval society, the idea of childhood did not exist; this is not to suggest that children were neglected, forsaken or despised. The idea of childhood is not to be confused with affection for children; it corresponds to an awareness of the particular nature of childhood, that particular nature which distinguishes the child from adult, even the young adult. In the medieval society, this awareness was lacking.

In the medieval Europe, according to Ariès, the idea of children being different from adults was found in the thinking of 'a small minority of lawyers, priests and moralists' (Ariès 1962: 239), and floated around the 'noble' classes in the sixteenth century (Jordanova 1987: 197, see also Wilson 1980, Plumb 1982, Cleverley and Phillips 1986). It was only around the late nineteenth and early

²² While Thomas (2004) provides a 'think description' of different theorists of childhood, DeVries (2000) has compared Piaget and Vygotsky in order to pinpoint similarities and differences between their theories (for details on Vygotsky's work, see Wertsch 1985).

twentieth centuries that the majority of people of the middle-classes and below began to talk about childhood being a special period of children's life. Zelizer (1985, 2005) makes the very same point when she argues that the emergence of the 'economically worthless' yet 'emotionally priceless' child is more of 'a middle-class sentimentalisation of childhood, partly rooted in adult nostalgia' than the actual experiences of all children (Ansell 2005: 12, see also Boyden 1997, Gittins 1998). As O'Brien (2003: 374) puts it

Only particular privileged groups or classes within society could afford the luxury of childhood with its demands on material provision, time and emotion and its attendant paraphernalia of toys and special clothing. For the rest, children remained realizable as a potential source of economic contribution to the family.

Before the twentieth century, the majority of people in Europe and North America lived in poverty, so everyone, including children, worked to earn family income rather than attending full-time school (Cunningham 2000, 2005). Children's household contributions were very important, and the families valued older children more than infants because the former made a significant contribution to the household economy (Ansell 2005). This was further reinforced by a general belief of the time that children should not be left idle, and should instead be placed in conditions of labour for their own benefit as well as for those of family and the society (de Mause 1976, 1988, Jordanova 1987, 1990, Hoyles and Evans 1989, Heywood 2001). This suggests that in any given society the socioeconomic conditions can be seen as an important basis for understanding the value of children and the construction of childhood – a

suggestion that is particularly relevant to my study of the Nepali children. The rise of a more positive attitude towards children appears to be partly the result of a general raising of living standards, together with national laws and welfare policies put in place to 'protect' the poor and vulnerable groups, including children (Cunningham 2000, 2005, Cunningham and Stromquist 2005). For instance, when formal schooling became compulsory in England, factories stopped employing children, but they continued to work in the household, which was still widely accepted (Fyfe 1989, Nieuwenhuys 1994, 2005, Holloway and Valentine 2000). In line with Ariès, Stephens (1995) also asserts that 'hardening of the child/adult dichotomy was central to the development of modern capitalism and modern nation states' (cit. Ansell 2005: 10, see also Sanghera 2003).

2.2 Developmental Psychology and Universal Childhoods

At the start of the twentieth century, the debates concerning childhood steadily became more important in European and North American socio-political and academic arenas. For instance, Ellen Key²³ invoked 'a new visibility of the child in terms of a better informed and more caring attitude in the adult' (Qvortrup 2005: 3), and James Sully's *Studies of Childhood*²⁴ is regarded as one of the earliest work

²³ She was a Swedish feminist and social reformer, who wrote *The Century of the Child* in 1909 as a political manifesto on children's welfare (Qvortrup 2005: 3, see also Matthews 2007, Shanahan 2007, Qvortrup et al. 2009 for various analysis of childhood writings).

²⁴ In writing about childhood from the Darwinian perspective, James Sully claimed: 'Ours is a scientific age, and science has cast its inquisitive eye on the infant...we now speak of the beginning of a careful and methodical investigation of child nature, by men trained in scientific observation' (Sully 1895 cit. Woodhead 2009: 1-2). This kind of 'scientific approach' to child

on (modern) childhood (Woodhead 2009, see also Cleverley and Phillips 1986, Qvortrup et al. 2009). In the academic area, education and psychology became the two major disciplines to study children's lives. By seeing 'children as already-constituted recipients of education,' educationists were still not very enthusiastic about delving into children's lives (Ansell 2005: 15). In contrast, developmental psychologists like Jean Piaget, started to pay greater attention to the issues of children, especially how they develop capacities for thinking, reasoning and moral judgement (Woodhead 1996, 1997, 1999b, 2004, 2009).²⁵ According to O'Neill (2000: 6), childhood was

An area that was treated 'as an aspect of the family or social structure' by...(Piaget's) predecessors. His empirically based 'stages' theory focused on the attainment of children's 'operational intelligence,' and regarded children as 'socially incompetent... incapable of acting as fully rational adults.'

Piaget argued that children's development comprised an invariant sequence of (broad) stages that can be summarised as sensorimotor (birth to approximately 18 months); preoperational (18 months to approximately 7 years); concrete operational (7 years to approximately 11 years); and formal operational

research, which is derived from Charles Darwin's study of his own son became 'the Child Study movement in the latter two decades of the 19th century and the early years of the 20th' (Williamson 2008: 1, see also Wallace and Gruber 1989: 117-18, Prout 2005: 44-47). Other researchers like Piaget also focused on studying their own children (Woodhead 1998b).

²⁵ Anthropologists used children to make comparisons with the 'savage races' of the world arguing that the development of humanity was reflected in the development of a child so that certain races - e.g. Australian aborigines had the same cultural development as an infant, while other, more advanced races such as the Chinese could be seen as older children (Montgomery 2009).

thinking (approximately 11 years onward). Other features of Piaget's theory is the emphasis placed on logical, scientific and mathematical thinking and the emphasis on the child learning through his/her own individual activity, interacting with the physical and (to a lesser extent) the social environment (Woodhead 1998b: 16).

Piaget has received criticisms from different quarters because his 'work meticulously constitutes a particular system of scientific rationality and presents it as both natural and universal' (Jenks 1982: 20). Firstly, Piaget claimed that 'all children experience, and have experienced, the same series of stages of growth to adult physical and cognitive potential, regardless of place and culture' (O'Neill 2000: 5, see also James et al. 1998: 18). However, as later researchers, especially, sociologists pointed out, physical differences cannot simply distinguish children from adults since childhood is neither a natural nor a universal category (Gittins 1998). While the progression from a child to an adult includes biological/physical changes, it has more to do with historical and sociocultural processes that shape children's development – although Piaget would argue that it is biological (van Gennep 1960[1909], Jenks 1996, James and Prout 1999, Holloway and Valentine 2000, Qvortrup 2002, 2005). As Jenks argues: 'Any transition from one status to another is never simply a matter of inevitable biological growth; it involves rite of passage and initiation, all of which are disruptive and painful' (Jenks 1982: 12). Piaget's universal stages of child development neglect that 'development is an individual process' and that progress may fluctuate among individuals of different socioeconomic and cultural backgrounds (O'Neill 2000: 5). One of the main risks is that children who do not measure up to the expectations of stage-based competencies may be assumed as having a 'natural

deficiency' and hence be subject to 'forms of social or institutional discrimination that only further exasperate their progress' (ibid., see also James et al. 1998: 19). Secondly, Piaget's experiments focused on European children (especially his own children), and analysed the 'development of a kind of operational intelligence proper to an advanced industrial society' (O'Neill 2000: 5).²⁶ Arguably, they are also related to social Darwinism²⁷ and the Piagetian approach ignores the colonial exploitation, ecological hardships suffered by non-European societies, and the fact that 'people in those societies may be operating under a different series of logical rules' (ibid.). For reasons like these, the research methodologies used in developmental psychology are now considered too rigid and culturally biased to represent a universal childhood (see Woodhead 1998b, 1999b, 2009). Yet, some childhood scholars recognise that despite Piaget's formulation of rigid biological stages of learning, his approach was a 'child-centred' one in which children were encouraged and respected for thinking, and attempted to understand their viewpoints in their own terms (ibid.). Equally important is the fact that today's national and international laws and policies against 'child labour' continue to follow the universal standard originating from developmental psychology (White 1996, 2003, Myers 2001, Ennew et al. 2003, 2005).

²⁶ Gielen and Roopnarine (2004: xiv) argue that throughout the twentieth century 'the overwhelming majority of... studies were conducted in the United States, Canada, and Europe, with a few studies from non-Western cultures thrown in to make the intellectual meal appear a bit exotic' (cf. Montgomery 2009).

²⁷ In promoting Social Darwinism, Herbert Spencer argued that Darwin's theory of natural selection should be applied to humankind. That is, the fittest individuals should be given the freedom to prosper while the weaker ones should not be allowed to reproduce, and the weaker strains would die out. This kind of social Darwinism was widespread in Europe and North America from the late nineteenth to mid-twentieth century (see Dickens 2000 for details).

2.3 Anthropological/Sociological Childhoods

Anthropologists and sociologists have in the past been less interested in children themselves and more in the processes by which they became 'socially competent, rational, mature adults' (Montgomery 2005: 475, see also Montgomery 2009). From the early 1920s, a number of Euro-American anthropologists²⁸ carried out small-scale holistic studies of 'primitive' societies, and some focused on children (Jenks 1982, Gielen and Roopnarine 2004, cf. Lancy 2008). For instance, Mead (1928) went to Samoa to refute the notion, popularised by G. Stanley Hall, that adolescence was necessarily a time of storm and stress. She noted that Samoan children had no such experiences during the same life phase and that puberty was managed very differently (Ansell 2005). In comparing childhood among Zuni, Dobu and Kwakiutl communities, Benedict (1935) also 'finds marked differences in terms of the responsibility children are allowed to assume, their degree of subordination to adults and the way characteristics of gender are distributed' (Prout and James 1997: 17, see also Mead and Wolfenstein 1955, La Fontaine 1978). Nonetheless, more recent anthropologists argue that apart from mentioning children's roles in the family, anthropological studies, especially in the UK, failed to pay 'attention to their economic contributions, their agency or

²⁸ Most notable early anthropologists are those such as Malinowski (1922) who worked on the Trobriand Islanders, Radcliffe-Browne (1933) on the Andaman Islands, Firth (1936) who worked on the Tikopia of the South Pacific, and Evans-Pritchard (1940) who conducted fieldwork amongst the Nuer of Sudan (James et al. 1998: 71, Montgomery 2005: 474). Likewise, Gielen and Roopnarine (2004: 25-28) provide a list of social science publications (1906-2004) referring to them as 'some milestones in the cross-cultural study of childhood and adolescence.'

their own understanding of their lives' (Montgomery 2005: 474, see also Pole et al. 1999, Boyden and Levison 2000).

For the most part of twentieth century, children had a limited role in Euro-American societies so many researchers probably did not consider children as important research subjects in their own right. A possible consequence of this was that, despite the efforts of anthropologists (e.g. Mead 1928, Whiting 1941) and sociologists (e.g. Esenstadt 1956), they could not set up 'a firm place for childhood and youth within mainstream social science theory' (White 2003: 8). There are other explanations why the academic study of childhood was neglected in social sciences other than developmental psychology (Ansell 2005: 14-15). Firstly, the research agenda was dominated by men (Prout and James 1997, Helleiner 1999), secondly, researchers tended to see childhood as a short-term thing and hence not worthy of research (Montgomery 2001), thirdly, that children, as incompetent human beings, need not to be taken seriously (Wulff 1995), and finally, as Gielen and Roopnarine (2004: xiv) argue:

Neither developmental psychologists nor anthropologists saw human development as a transformative process in which cultural forces constantly interact with biological and psychological forces to create a rich diversity of "biopsychosociocultural" entities.

From about 1880 to 1970, then, psychologists, and other social scientists, tried to explain childhood largely in terms of biological and cognitive development, especially through concepts such as 'maturation' and 'learning' (Woodhead 1996: 10-11, see also Woodhead 1999b, 2009). Although sociology tried to keep

itself somewhat independent, it too 'sought to understand the problem of cultural acquisition through theories of socialisation' (Jenks 1982: 12). Anthropologists were particularly interested in socialisation theory, which 'emphasises the transmission of societal norms during childhood and adolescence within society's three major socializing agencies: family, school, and small, intimate peer groups' (Nurco and Lerner 1999: 993, see also Bekombo 1981). Because of this, they were 'not interested in children themselves, but in the ways in which the bodily practices imposed on children affected future personality at both an individual and a national level' (Montgomery 2005: 475). Anthropologists 'retained a conventional view of socialisation as a moulding process carried out by adults...(and) little attention was paid to childhood as a phenomenon in itself or to children as active participants in their own rearing process' (Prout and James 1997: 18). In many ways, children continued to be seen as 'culturally incompetent creatures' whose lives could be studied as 'appendages of adult society' (Hirschfeld 2002, Corsaro 2004).²⁹

2.4 'New Social Studies of Childhoods'

By the 1970 and 1980s, the age-related natural developmental stages of child development began to be critiqued by some scholars as 'too static, too homogeneous, too Euro-American, too "white," too middle-class, too male, and too monocultural' (Gielen and Roopnarine 2004: xv, see also Lopez 1970,

²⁹ Some scholars continue to argue that not much has changed in anthropological research. For instance, Hirschfeld (2002) wrote an article entitled '*why don't anthropologists like children?*' echoing Hardman (1973), who asked *can there be anthropology of children?* Others, however, have criticised this statement as an exaggeration (e.g. Lancy 2008).

Bellingham 1988, Bissell 1999). Subsequently, the thus far dominant developmental psychology was criticised by anthropologists, geographers, and sociologists (Burman 1994, 1996, Kağıtçıbaşı 1996, Christensen and James 2000). By arguing that children's ability to learn is also influenced by language and people around them (Qvortrup et al. 1994, Maybin and Woodhead 2003), some researchers began to move away from Piaget's 'cognitive constructivism' to look closer at 'social constructivists' like Vygotsky and Bruner (see Wertsch 1985, DeVries 2000, Woodhead 1999b, 2009 for details). Social constructivists emphasise on the need for paying a close attention to the social and cultural processes that underpin development. Consequently it follows that since societies are heterogeneous, children's social competency, as well as parental values and expectations on their offspring, may greatly vary between social classes, ethnolinguistic groups or among boys and girls (O'Neill 2000, Montgomery 2005, Ansell 2005). This is to say that instead of a universal childhood, it is possible for multiple, and culturally relative, childhoods to exist (Boyden 1997, Nsamenang 1999, Bühler-Niederberger and van Krieken 2008).

Today, with the emergence of a new paradigm variously called the 'new sociology of childhood' or 'childhood studies' (Lopez 1970, Bellingham 1988, Jenks 1996, Boyden 1997, James and Prout 1997, Boyden et al. 1998, James et al. 1998, Alanen 2000, Christensen and James 2000, Qvortrup 2002, 2005, Prout 2004, Jenks 2005, Qvortrup et al. 2009), children have become an important research subjects in which the concept of childhood has been redefined – that is, 'a social construction that produces different experiences of children's lives in diverse cultural contexts as well as in different historical moments' (O'Neill

2000: 3, see also Balagopalan 2002: 20-21, O'Brien 2003: 466-67). It is a social construct because childhood 'makes reference to a social status delineated by boundaries incorporated within the social structure and manifested through certain typical forms of conduct, all of which are essentially related to a particular culture' (Jenks 1982: 12).

This new way of theorising childhood³⁰ has promoted a new approach to studying children's lives (cf. Lee 1998, King 2007, Ryan 2008). Researchers applying 'child-centred' research³¹ conceptualise children 'as social actors and agents, capable of participating in making sense of their own lives, and of describing and explaining their actions, motivations and meanings' (Montgomery 2005: 476). Hence, the cultural reproduction and socialisation theories have become less attractive among many researchers, and children have come to be

³⁰ James et al. (1998) suggest at least four ways of studying childhoods (i.e. socially constructed, tribal, minority, and socially structured). The authors refer to various interdisciplinary sources, but their approach seems to be geared towards a specific discipline, 'especially given the emphasis within their more recent work on studying the 'sociological child' (Woodhead 2009: 9-10). On the other hand, Woodhead (2009) argues that a 'discipline-neutral' term like 'social child' or 'the child in society' would be preferable in order to encourage innovative research from multiple disciplines (ibid). Meanwhile, a number of scholars (e.g. Buckingham 2000, Lee 2001, 2005) already talk of the 'death of childhood' in the Euro-American societies in relation to the intrusion of the media into children's lives (Wyness 2000: 133, Aitken 2001: 122).

³¹ While international conventions and treaties or policies concerning 'child labour' continue to follow childhoods modelled on the premises of developmental psychology, the proponents of 'new social studies of childhood' theorise plural childhoods, and 'child labour' researchers also propose multiple perspectives on working children (see for examples Schlemmer 2000, Myers 2001, Ennew et al. 2003). In recent years, the 'child-centred' research approach, which this thesis has adopted, has generally been used by many social science scholars, and some NGOs, including UNICEF (Alston 1994, Woodhead 1998, Boyden et al. 1998, Ennew et al. 2003, 2005). It does not mean to claim that child-centred approach, arguably popularised by the theorists of new social studies of childhood, is free from controversy within and outside the academic circle (e.g. Lee 1998, 1999, 2001, 2005, King 2007, Ryan 2008).

seen as just as 'human beings' rather than 'human becomings' (James and Prout 1997, cf. Bekombo 1981, Holloway and Valentine 2000). Even in North America, where developmental psychology played a dominant role in childhood research for a much longer period than in Europe, the idea of childhood as a social construct and children as social actors rather than 'adults in becoming' has become popular among interdisciplinary researchers (Edwards 1996, Moore 2000, O'Neill 2000, LeVine 2007, Montgomery 2009).³² Woodhead (2009: 11-12) sums this up:

Piagetian approaches to development no longer dominate theory and research. Alternative approaches are much more closely aligned to the principle of social construction of childhood, notably social constructivist, or socio-cultural approaches. These build on Vygotsky's view of children's development as historically and culturally constructed, and his view of children's competence as founded in social relationships and shaped by social and cultural practices.

When the definitions and meaning of childhood are studied as sociocultural constructs, it becomes clear that the transition from childhood to adulthood does not have a fixed boundary (Arnett and Tober 1994: 518, Gittins 1998: 3, Montgomery 2001: 53). In fact, ethnographic studies, especially those conducted in the so-called primitive societies of the developing world, have shown the heterogeneity of childhood for decades (Burman 1994, 1996, Kağıtçıbaşı 1996,

³² While talking about the complexities of current childhood research, Cunningham (1998) indeed argues that 'studying childhood requires consulting works of sociology, anthropology, psychology, psychoanalysis and demography, as well as primary documentation such as diaries and autobiographies, and contemporary material artefacts such as visual images and miscellaneous written material' (cit. Williamson 2008: 2)

Boyden 1997, LeVine 2007, Raman 2000, Montgomery 2009).³³ In many African communities, adulthood could be achieved by some old men and still fewer women (Rwezaura 1998, Nsamenang 1999, Berlan 2004, Hashim 2004), while in some Arab societies (e.g. Egypt), the priority is given to the family unit rather than the individual and children's maturity partly depends on upholding good relationships with family and others (Booth 2002, Bühler-Niederberger and van Krieken 2008). Likewise, a Bangladeshi child, who attends school without having to take socioeconomic responsibilities at home, is called *shishu* until s/he reaches puberty, but a working child of aged 6, is not included in the same category (Blanchet 1996, Haider 2008). In some parts of rural Bolivia, relationships between parents and children are interdependent and, even when children move out of the family home, they may still run co-households or contribute to family maintenance (Punch 2001, 2002).

In many others societies, however, it is marriage which is the key factor that differentiates childhood from adulthood (La Fontaine 1978: 15-16, Ansell 2005: 80).³⁴ Children of the San people of southern Africa, for instance, are no longer considered children when they marry (which can be as early as 8 years old) although they may not be sexually mature or involved in sexual relationships at this age (Gailey 1999: 116). In Hausa communities of Nigeria, girls marry

³³ Until recently, the majority of anthropological/sociological work did not include children as an important research subjects (Edwards 1996, Moore 2000), and those who did write about children's lives, except for child labour researchers, they generally limited themselves to the developed world. Moreover, the comparative study of different childhoods is severely lacking though the work of Cindi Katz (1994, 2004), which explores the 'context of children's lives under economic and social transformation in New York and in Sudan', is considered as a notable exception (Aitken 2001: 123, see also Aitken et al. 2006).

³⁴ It is argued that up to the end of Second World War, in Euro-American societies too 'marriage often heralded full membership of the adult realm' (Aitken 2001: 122).

between 12 to 16 years of age and after marriage they enter *purdah* (veil) by giving up childhood freedoms (Schildkrout 2002[1978]: 362). Likewise, the ethnic Tamang parents of Nepal 'hold powerful social and economic sway over their offspring up to and including the time of their marriage, regardless of what age this occurs at' (O'Neill 2000: 7).

Notwithstanding these starkly differing sociocultural markers of childhoods in different countries/cultures, the ideals of Euro-American childhood have rapidly been globalised through international organisations and advocacy groups (Kağıtçıbaşı 1996, Nsamenang 1999, White 2003, Ansell 2005). Yet, the vast majority of working children in Nepal, including bonded child labourers, exist as anomalies in the new globalised notion of childhood (Aitkin 2001, Balagopalan 2002, Montgomery 2009). This discussion takes place in Chapter III. For now, the following section makes a brief historical analysis of the child labour debates in Euro-American societies, and how they have affected the developing world today.

2.5 Working Children in a Historical Context

Children have always worked, but rules and regulations concerning their employment emerged around the time of the industrial revolution in England and subsequently in Western Europe (Lavalette 1999, Cunningham 2000, 2005). The rapid expansion of competitive markets and commodification of labour

reportedly increased children's involvement in factory work.³⁵ Historians argue that concerns about children's work predominantly centred on factories. Between 1787-1865, for instance, British 'children consistently and in all types of occupation contributed more through earnings than did women' (Cunningham 2000: 420).³⁶ Concerns were raised not just because of the mass employment of children, but also the extremely unhealthy working conditions, as noted below.

The average number of hours worked by these gangs of little children was from 12-14, but frequently 16 or 18 hours was the period in which quite little children were engaged in unhealthy labour. Naturally, the death rate amongst these children was very high, and even where they did not die, the effect of the hard labour for excessive hours, the unhealthy air of the factory, the bad or insufficient food, was an enfeebled and wretched maturity (Alden 1909 cit. Groves 2002: 42).

Although subjective in its portrayal, the above quote brings up a number of interesting points. First, the innocent or natural child is under threat from 'brutal working conditions' and requires protection from the adults (Lavalette 1999, Lavalette 2005). Second, the harsh circumstances of working children are seen not just from the lens of age stratification, but also in class terms (Thompson

³⁵ While the British experience is generally shared by other industrialised countries (Cunningham and Viazzi 1996, Cunningham 2000, 2005, Dorman 2001), Japan reportedly had much less child labour during its initial phase of industrialisation than Europe and North America (Dorman 2001: 33). Cunningham (2000) considers Japan as a striking example where there was a 'low level of child labour... in the late nineteenth and early twentieth centuries despite ongoing industrialisation and the absence of legal prohibition of child labour,' and claims that this led the country to be called 'the paradise for children' (2000: 418).

³⁶ Cunningham (2000: 409-10) further argues that the working-class families depended on children's earnings well into the twentieth century.

1963). Third, the quote resonates with the current exposé of child workers in developing countries; that is, they are represented 'as inarticulate, defenceless victims' (Groves 2002: 43).

The concern for working children, however, was limited to the national action within European states which sought to implement control mechanisms rather than enforcing an outright ban on child labour (cf. Cunningham and Stromquist 2005). In England, the Health and Morals of Apprentices Act introduced in 1802 reportedly failed to include child workers (Hendrick 1997: 40) so the Factory Acts of 1833 and 1844 were aimed at restructuring the work of children in order to prevent it from interfering with their education (Hobbs and McKechnie 1997, Dorman 2001, Dahlén 2007, Bourdillon et al. 2009). These laws had 'a profound impact' in regulating the use of children in factories (Cunningham 2000: 415).³⁷ Likewise, France enacted a law in 1841 that allowed those 8 years and over to work during the day, but forbade children below 12 years to participate in night work (Glasinovich 2004: 82). However, the detrimental effects on the health and wellbeing of factory child workers was realised in Europe and North America only in the late nineteenth century (Fyfe 1989, Grooves 2002). In many cases, it followed from regional and international meetings between Euro-American countries about labour issues. For instance, the 1890 Berlin conference prohibited industries from employing children below 13 years old, and the draft

³⁷ In 1851 (i.e. after the introduction of Factories Acts of 1833 and 1844), 37 percent of boys and 20 percent of girls (aged 10-14) were reportedly working as child labourers in England and Wales. Likewise, it is argued that Britain tried to remove all children from the labour force only with the Education Act 1918, which was extended by Young Person's Act (1933) which specified the age limits and hazardous versus acceptable work orders (Dorman 2001: 3).

convention formulated during the Berne conference in 1913 banned children under 16 from working at night (Groves 2002: 45).

With the establishment of the ILO in 1919, labour issues, including child labour, were discussed at an international level with the intention of creating a universal labour standard (cf. Jones 2005). Although the initial focus of the ILO was limited to the Euro-American societies, the coverage was rapidly globalised when the United Nations was established in 1945 with various branches to look into the affairs of 'world communities.' For developing countries like Nepal, the UN agencies and social researchers focused more on issues of poverty, population explosion, and meeting 'basic needs' than on child labour (Bradshaw 1993, Nieuwenhuys 1994, 1996, Iverson 2000). This reason leads some authors to argue that it was not until the International Year of the Child (IYC) in 1979 that child labour started to become a global topic for debates (Schildkrout 1980: 479, Fyfe 1989: 1, Ansell 2005: 25).³⁸ The IYC declaration aimed to promote 'the well-being of children, drawing attention to their special needs and encouraging national action on behalf of children, particularly for the least privileged and those who are at work' (ILO IYC cit. Fyfe 1989: 2). In the 1980s, however, the

³⁸ Other scholars argue that the globalisation childhood and debates over child labour started with the founding of the ILO in 1919 (White 1996, Myers 2001). According to White (1996: 831), 'it is reflected on the ILO Convention (No. 5 of 1919) on the Minimum Age for Admission of Children to Industrial Employment. Since that Convention, child labour legislation in most countries has generally been a response not to local conditions and pressures, but to international pressures and global standard-setting... Through this and subsequent conventions and recommendations, there has become enshrined an idea of childhood in which – whatever else they may be doing with their time – children up to 15 or so should not be 'employed' (not necessarily that they should not 'work'), and that they should be obliged to attend school full-time' (for a critical analysis, see Dahlén 2007, Bourdillon et al. 2009).

global economic recession and the failure of Structural Adjustment Programmes of the International Monetary Fund and World Bank (Haq et al. 1995), further increased poverty in the developing world.³⁹ This meant that debates over child labour were not prominent national and international discussions (Iverson 2000). A senior ILO officer clarifies this problem in the following way:

It was a subject that no-one thought was important... 'not a sexy subject.'

There was considerable scepticism, sometimes, even opposition... Firstly, there was the intellectual argument that the approach was wrong, as child labour was a poverty-based issue and the problem should be tackled through poverty eradication. The second argument was of a qualitative nature in that some argued that child labour was not a suitably important issue throughout the world in terms of numbers of children. The third area of opposition was based on practical grounds centring on what could be done about the problem (Groves 2002: 58).

Others have also argued that 'up to the mid-1980s child labour was not an issue of major concern, either at the national or international level' (Thijs cit. Abernethie 1998: 85). Arguments like these suggest that only after the adoption of UNCRC in 1989 did child labour become a truly global concern (Bradshaw 1993). Through this convention, more than any other UN or ILO documents before, the widespread promotion or exportation of Euro-American ideals of childhood took place (James and Prout 1990, Boyden 2000), allowing various UN agencies, including the trade unions-backed ILO, to demand for a total ban on

³⁹ Of course, the effect of internal natural calamities and political turmoil (combined with the regional economic downturn (e.g. 1998 Asian financial crisis), or the global economic recessions as in 2008-2010) also disrupt the everyday lives of most needy people in countries like Nepal.

child labour (Nsamenang 1999, White 2003, Lerche 2007, Haider 2008). As envisioned by the middle class families in Europe and North America, advocacy groups argue that all children, regardless of their socioeconomic status, should spend their time studying and playing, and that parents and society's primary responsibility is to safeguard children from physical and mental harm (Debabrata 2002). When the ILO introduced Convention No.182 in 1999 (by resolving 'various problems' in its Convention No.138 to find a compromise position among its member states), it further allowed the advocacy groups to rally behind a complete ban on the worst forms of child labour (Myers 2001, Noguchi 2002, Invernizzi and Milne 2002, White 2003, Karunan 2005).

2.5.1 Diverse Approaches to Child Labour in the Post-1990 World

In Chapter I, I offered a brief summary of key terms and definitions relevant to the study of bonded child labour. This section further elaborates on the conceptual debates regarding child 'labour' and 'work.' As with child and childhood debates, the discussions regarding child 'labour' and 'work' remains an unresolved matter because of the divergent viewpoints offered by various (research) individuals and organisations. For example, Myers (online) noted that the following aspects, among others, have been included as the definition of child labour.

- All work of any kind performed by children
- Economic participation by children
- Full-time work performed by children
- Work that is harmful to children
- Work that interferes with schooling

- All remunerated work
- Wage employment
- Work that exploits children
- Work that violates national child labour laws
- Work that violates international standards

At one extreme, advocacy groups (like trade unionists and child rights activists) argue that all work done by children is child labour (Lieten 2005b). At the other extreme are perspectives on work as 'an enjoyable wholesome activity'... [a] crucial ingredient of social relations, self-discovery, self-expression and self-realisation' while labour is a production process designed to meet the 'profit-motivated needs of the employer' and not the physiological and psychological needs of the employee' (George cit. Abernethie 1998: 89). This is not to claim that organisations are always consistent with their viewpoints. In its 2002 report, for instance, the ILO seemed to have moved a bit away from its thus far abolitionist position when it wrote the following.

Millions of young people legitimately undertake work, paid or unpaid, that is appropriate for their age and level of maturity. By doing so, they learn to take responsibility, they gain skills and add to their families' and their own well-being and income, and they contribute to their countries' economies' (Lieten 2005b: 6, cf. ILO views in pp.55-56).

Somewhere between this polarised debate are those who argue that it may often be difficult to distinguish work that is important for children's social upbringing and the work that is harmful to their natural physical and mental development by preventing their access to healthy food, play, relaxation, education, etc. (Parker 1999, Fassa et al. 2000, Forastieri 2002, Rubenson 2005). The idea of a continuum has been proposed to acknowledge this range (notably by White

1996). For example, it is 'more useful to see children's work as a continuum from the least controversial activities, such as delivering newspapers... or performing minor household chores for a limited number of hours, through to the most extreme and savage forms of exploitation, such as bonded labour' (Bissell cit. Abernethie 1998: 90). Since the late 1990s, however, social researchers have increasingly suggested avoiding the terms child 'labour' and 'work' so as not to distance themselves from the fundamental issues of children's daily world of work.

Of course, concepts are indispensable both in everyday communication and in academic research, as they help us to order and understand social reality. However, inasmuch as they are abstractions, there is always a tension between the assumed social reality and that which we express with the aid of our concepts. This fact, which is unfortunately all too often overlooked, is commonly expressed by the notion of 'social representations.' Once introduced, concepts take on a life of their own, which we research workers are not able to elude... this is particularly evident in the case of the term 'child labour'. It sets off negative associations, and thus in itself characteristics to a fair extent the perception of the working children's reality that we label with this notion and attempt to understand with it. Concerning this we point out the necessity to take into account the multitude of sectors, forms and conditions of work. Domestic work and care work is generally ignored. We are also emphasizing the need to put more attention to the meaning of the work for children. Perhaps we ought to resolve in future not to refer to research into 'child labour' or 'child work' (whatever the term

we may use for it), but to research into and with 'working children' (Hungerland et al. 2007: 10-11).

Even if we are to follow the suggestion of Hungerland et al. (2007), it remains problematic to operationalise judgements about what is good/bad or safe/harmful within children's actual situations (Woodhead 2004). In giving children the status of human beings, Article 32 of the UNCRC offers only a general framework:

The right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development.

By following the UNCRC definition of child as someone under the age of 18, some documents of the ILO frame the definition of child labour, by excluding many of the activities carried out by children.

Child labour is work performed by children under 18 years of age which is exploitative, hazardous and inappropriate for their age, and which is detrimental to their schooling, or social, mental, spiritual and moral development... Child labour does not include activities such as helping out, after school is over and schoolwork has been done, with light household or garden chores, childcare or other light work. To claim otherwise only trivialises the genuine deprivation of childhood faced by the millions of children involved in the child labour that must be effectively abolished (ILO cit. Lieten 2005b: 7-8).

Similar to the UNCRC Article 32, the above quote from the ILO suggests that it is specifically geared for initiating intervention policies, but it is not in itself an adequate basis for differentiating what is harmful. For example, carrying out household activities, including babysitting, is not defined as child labour, but, as I explained about my childhood in rural Nepal, it is possible that long hours of work may have physical and psychosocial impact on the child (see Giri 2007a for details). In fact, as I discuss in Chapter VIII, Hobbs and McKechnie (1997, 2007) argue in their so-called Balance Model that how negatively or positively children view their work depends on many variables, including the availability of other alternatives. Likewise, Woodhead (2004: 16) suggests three broad ways of understanding children's world of work.

Development - Recognising the place of work in children's lives within a long-term perspective, from their initiation into work, through various phases of childhood and beyond;

Context - Recognising that the circumstances and context of work may be as important as the work itself in determining how far the impacts are beneficial or harmful;

Mediation - Recognising that cultural beliefs and expectations surrounding the value of children's work, goals for their development and indicators of well-being will strongly mediate children's perspectives on and experiences of work, and in turn its positive or negative impact in their lives.

Given that millions of children worldwide must work to earn family income, child-centred researchers increasingly argue that working children may see their work (even in bonded labour contract) as beneficial, while everyone else

thinks otherwise (Hobbs and McKechnie 1997, 2007, Ennew et al. 2005). These researchers emphasise that everyone concerned with working children's life-worlds should 'listen to what children say' (Woodhead 1998b, 2004) and explore 'what works for working children' (Boyden et al. 1998) in order to formulate policies that are important to their needs.

Presently, the UNCRC and ILO Convention No.182 have prioritised research and intervention programmes by identifying types of children's work having physical and psychosocial impacts (Woodhead 1998b). Particularly in Article 3 of the Convention No.182, the worst forms of child labour are defined as:

- a) All forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage, serfdom and forced or compulsory labour (including forced or compulsory recruitment of children for use in armed conflict);
- b) The use, procuring, or offering of a child for prostitution, for the production of pornography or for pornographic performances;
- c) The use, procuring, or offering of a child for illicit activities, in particular for the production and trafficking of drugs as defined in the relevant international treaties;
- d) Work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children.

The ILO states that these forms of child labour 'are so fundamentally at odds with children's basic human rights that they are absolutely prohibited for all persons under the age of 18' (ILO-IPEC cit. Giri 2009a). The widespread ratification of Convention No.182 by the ILO members within a decade of its existence, suggests that this convention is less controversial than any of its other previous

conventions. Yet, echoing Article 32 to of UNCRC, the Article 3 (d) of Convention No.182 is probably the most unclear definition of worst forms of child labour because the criteria for judging 'work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children' are not specified. It might be for this reason that the ILO report entitled 'A Future Without Child Labour' proposes 'unconditional' worst forms of child labour as slavery, trafficking, debt bondage and other forms of forced labour, forced recruitment of children for use in armed conflict, prostitution and pornography, and illicit activities (ILO 2003, 2006). Among the estimated 8.4 million children are reported to be involved in 'unconditional' worst forms, but of the total, 68 percent of these children are in bonded or forced labour (ILO 2002, 2003). As discussed shortly, this of course also includes children falling under the *haliya* and *kamaiya* labour practices in Nepal.

The other 'conditional/unresolved' forms, which the ILO has termed as hazardous work (under Article 3 (d) of Convention No.182), is to be defined by national legislation, hazardous work, 'that may be conducted in legitimate sectors of economic activity but that is nonetheless damaging to the child worker' (ILO-IPEC cit. Giri 2009a). In the Recommendation No.190, the ILO has defined hazardous child labour as follows:

- a) Work which exposes children to physical, psychological, or sexual abuse;
- b) Work underground, under water, at dangerous heights, or in confined spaces;
- c) Work with dangerous machinery, equipment and tools, or which involves the handling or transport of heavy loads;
- d) Work in an unhealthy environment which may, for example, expose

- children to hazardous substances, agents or processes, or to temperature, noise levels, or vibrations damaging to their health;
- e) Work under particularly difficult conditions such as work for long hours or during the night or work where the child is unreasonably confined to the premises or the employer (R190, Section II.3.a-e).

By identifying 'unconditional' and 'hazardous' categories of child labour, the ILO has aimed to eliminate worst forms of child labour as a matter of prioritised urgency. As Woodhead (2004: 6) explains

These two different bases for identifying worst forms have important implications for the strategies adopted by international agencies, governments, local NGOs and others concerned with intervention. Whereas 'unconditional worst forms' invite action targeted on particular forms of child labour, 'unresolved (or conditional) worst forms' require action targeted towards children at risk, irrespective of which sectors they work in. The extent to which work constitutes a risk to children's well-being is conditional on a whole range of circumstances, not just on the nature of the work itself. In other words, identifying worst forms of child labour becomes as much a scientific as a human rights issue.

However, as it is clear from the quote below, ILO's eventual goal continues to be the complete abolition of all forms of child labour.

The elimination of the worst forms of child labour is thus proclaimed to be a major and urgent priority for national and international action. However, the adoption and widespread acceptance of Convention No. 182 does not mean that the ultimate goal of the elimination of all forms of child labour has been abandoned. Giving priority to combating the worst forms of child labour is simply a matter of doing first things first. It provides an entry

point to promote and facilitate further action to attain the ultimate goal (ILO-IPEC cit. Giri 2009a).

The discussion so far regarding different viewpoints and approaches to child labour is not new to various activists (e.g. human rights organisations, trade unions) and institutions (e.g. ILO, UNICEF), who have been working on behalf of working children. However, they appear to be reluctant to compromise the definition and/or differentiation of child 'labour' and 'work' as it has been institutionalised to carry out policy strategies. As Myers (online) puts it:

The term 'child labour' is so ubiquitous and habitual that it probably cannot be abolished or circumvented. A natural drift toward consensus, even if real, is slowed by the fact that the variety of definitions has by now been thoroughly institutionalised - organizations base their 'child labour' activities upon whatever particular interpretation they give the term - and changing definitions would imply the need to change policies and programmes as well, a reform not easily or quickly accomplished.

Myers (online) believes that within the diversity of viewpoints, each has its own logic and can potentially make an important contribution if worked together. Instead of seeking a standardised definition of child labour or work, therefore, the author has put forward four generalised perspectives on children's work, which are discussed in Table 1. At the same time, bonded labour under *haliya* and *kamaiya* systems fall into unconditional worst form of child labour under Convention No.182, and there appears to be no dispute over the urgent action advocated by the ILO nor the use of the term child labour.

Table 1: Diverse Approaches to Child Labour

	Labour market perspective	Human capital perspective	Social development perspective	Child centred perspective
Actors	International Labour Organisation [ILO], Ministries of labour, Trade unions	UNDP and the World Bank, Ministries of economic development and planning, Business and industry	Human rights organisations, Ministries of social welfare, Religious and other value-creating groups, Community organisations	UNICEF, Government child and family units, Child advocacy and defence, NGOs, Educators and other community organisations
How is child labour seen?	Children in the work place compete with adults, reinforce employer power, threaten adult employment and wages, diminish worker organisation and bargaining power and perpetuate their own and others powerlessness	Work that can undermine children's eventual contributions as adults to national economic development and their economic viability and progress. All children (including working children) must have access to adequate health, education, and the opportunities for them to become economically productive members of society	Work that alienates (socially excludes working children and their families): family exploitation of their children, government abandonment of the poor, irresponsibility or selfishness of elite groups, inappropriate social and political values	Work that undermines children's well being, personal and social development
What action is taken?	State intervention to protect adult markets: emphasis on national legislation and enforcement Internal norms and standards (Minimum Age laws, labour inspection, ILO convention No. 138)	Emphasis on market initiatives and opportunity creation Discouragement of work undermining children's future health and capacities, widespread provision of facilities to develop economically relevant skills, and poverty eradication	Social inclusion and support for disadvantaged groups Targeted service programmes for working children Advocacy to change public ideas about working children Family reinforcement Political pressure on behalf of disadvantaged children	Promotion of children's well being and development Improve understanding of working children and their situation and rights Promote children's best interests, empower children as agents and partners on their own behalf

		measures aimed at the poorer families	Community monitoring of abuses Social mobilisation campaigns	
View of education	Compulsory education can remove children from the labour market	Subsidies to release children from work for school services that allow children both work and study Emphasis on literacy, numeracy and 'life' skills	Community schools and non-formal education programmes adapted to needs of working children, apprenticeships and other work study arrangements	'Street education' Participation of children in planning and conducting education activities, emphasis on multiple capacities and learning needs and sources, education through social engagement
View of children	Children are present or potential victims, unable to recognise exploitation or workplace dangers. Their own best interests can be protected only through adult intervention on their behalf	Children are potentially productive adults whose capacity needs to be protected and matured	Children actually or potentially marginalised are best protected by broadening social responsibility for, and solidarity with them	Children are competent, resilient, and active agents of their own growth and development, they are best protected when they participated together with others (adults and children) in their own defence, and turn protection into development
Social concern	Exploitation of workers: Economic domination of the powerless by the powerful	Poverty and its consequences	Social dysfunction Breakdown in positive values and their expression Deficiencies of social equity and responsibility	Children's well being, happiness and development
Social goal	Economic justice	Economic development Abolition of poverty Building the human capacity needed to maintain economic progress	Social solidarity Compassion Equity Responsibility	Children's well being, happiness and development

Source: GoN (2004: 53-54)

The above Table 1 shows that there are currently four broad approaches to working children, which are supported by global, and national as well as local players. The aim of each group is the same, which is to eliminate child labour (Cox 1999), but their methodologies to reach that goal vary tremendously. Hence, the debates on what accounts as child 'labour' or 'work' for different organisations and activists remains unresolved. An interagency report prepared by the ILO, UNICEF and the World Bank concerning Nepalese child labourers wrote the following understanding of child 'labour' and 'work' globally as well as in Nepal:

The definitions of child work and child labour, and the distinctions between the two, have been subject to considerable debate, for instance in development circles. A consensus is gradually emerging, however, that in the English language 'child work' or 'children's work' is seen as a general term covering the entire spectrum of work-related tasks performed by children, and 'child labour' as that subset of child work that is injurious to children and that should be targeted for elimination. There is also growing recognition that there are certain intolerable, or 'unconditionally worst', forms of child labour that constitute especially serious violations of children's rights, and that should be targeted first for elimination.

Implicit in this distinction is the recognition that work done by children *per se* is not necessarily injurious to children or a violation of their rights. Indeed, in some circumstances, children's work can be beneficial, not harmful, contributing to family survival and enabling children to acquire learning and life skills. There is less agreement concerning where the line between benign forms of work, on one side, and child labour for elimination, on the other, is drawn. This question is by no means merely academic, as

underlying it is the more basic question of what precisely the social problem is that should be eliminated.

The UN Convention on the Rights of the Child (CRC) recognises the children's right to be protected from forms of work that are likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development. The CRC also calls on States parties to set minimum age for admission to employment, having regard to other international instruments. ILO Conventions No.138 (Minimum Age) and No.182 (Worst Forms) target as child labour 1) *all forms of work* carried out by children below a minimum cut-off age (at least 12 years in less developed countries), 2) *all forms except 'light work'* carried out by children below a second higher cut-off age (at least 14 years in less developed countries), and 3) *all 'worst forms' of child labour*, including hazardous types of work, carried out by children of any age under 18.

The Government of Nepal, as reflected in the Child Labour (Prohibition and Regulation) Act (1999), views as illegal child labour work performed by children aged less than 14 years, and hazardous work performed by children aged less than 16 years. The law does not, however, deal with family enterprises, domestic work, tea estates, agriculture and the informal sector (UCW 2003: 12, original emphasis).

As I explain in Chapter III (section 3.3), the Government of Nepal has incorporated international child rights treaties into domestic laws, and has also released Master Plan 2004-2014 to eliminate child labour within a 10-year timeframe. Although the government has clustered children's activities into 3 priority groups, it fails to offer a clear definition of what is child 'labour' or 'work'

within the socioeconomic and cultural context of the country. The blanket use of the term child labour in the Master Plan 2004-2014 appears to suggest that it was prepared to please the foreign aid agencies (on top of ILO-IPEC and advocacy groups) to secure funding for an annual national development budget, and hence the government lacks an ability to resist the issues and events coming into the country through the Euro-American ideologies 'globalisation' (White 1996, Myers 2001, Lieten 2005b). This thesis focusing on the everyday lives of *haliya/kamaiya* children, nonetheless, follows the ILO's unconditional worst forms of child labour and therefore uses the term child labour instead of work.

2.6 Globalisation of Childhoods

As European countries have intervened in the affairs of non-European societies for centuries, they have exported, among other things, their own version of childhood as a 'gold standard' for people worldwide (Kağıtçıbaşı 1996, Boyden and Ennew 1997, O'Neill 2000). For example, the globalisation of childhood in the nineteenth century took place 'through migration, missionary activity and colonialism' (Ansell 2005: 23). In fact, the European missionaries and colonialists, following the Biblical understanding and/or the social Darwinism, considered non-European people as children, who needed to be 'civilised' through their own religion and political ideology. It has also been argued that the so-called 'primitive' parents and the mothers in particular were accused of being 'incapable' of providing proper childcare. Their young children were sometimes taken away to let them experience European childhood and religion in the

missionary schools – the treatment of aborigines in Australia is a recent and relevant example of this (ibid.).

Since the late twentieth century, Euro-American childhood ideals have been universalised through rapid economic globalisation (White 2003), and through developmental organisations and international organisations as well as through the standards set by the UNCRC (Ansell 2005: 23). Today, the governments of the industrialised world are actively able to shape the policies of NGOs, UN bodies, and the Bretton Woods institutions⁴⁰ to export their own version of childhood along with economic globalisation, and the rhetoric of ‘democracy and human rights’ (Burman 1994, 1996, Boyden 1997). For instance, Stephens (1995: 16) argues that ‘the global export of transformed notions of childhood, socialisation and education at this time is inextricably linked to the export of modern constructions of gender, individuality and the family’ (cit. Aitken 2001: 122, see also Bekombo 1981, Bissell 1999). With this background in mind, in the next chapter, I discuss constructions of Nepali childhoods, and the national and international efforts to eliminate child labour, including bonded labour practices.

2.7 Chapter Summary

In this chapter, I started with an analysis of Euro-American discourses of childhood, which have profoundly influenced the way concepts of child,

⁴⁰ This refers to the World Bank and the International Monetary Fund (IMF), created in 1944 at Bretton Woods, New Hampshire (USA) to oversee post-war reconstruction. Ever since, they have emerged as global players by exercising financial (and by extension, economic and political), power particularly in developing countries like Nepal (see Haq et al. 1995).

childhood, and child labour are understood today. These discourses of idealised Euro-American childhoods were enforced in non-European societies through colonisation and religious missions, and after the World War II through various advocacy groups and development organisations. This chapter also showed how social researchers began to reject the concept of the universal child with a universal childhood. Keeping in mind that there is no clear-cut boundary between childhood and adulthood, they recognised multiple childhoods that are culturally relative (Bühler-Niederberger and van Krieken 2008). This is because societies are heterogeneous, and children's social competency, as well as the parental values and expectations of their offspring, greatly vary between social classes, ethnolinguistic groups or among boys and girls (Woodhead 1998, Ennew et al. 2003). Nonetheless, Euro-American discourses of child, childhoods, and child labour often act as the historical and theoretical bases to conduct research in other societies. This seems inevitable given that socio-political and economic globalisation has affected societies worldwide, including Nepal, where its own notion of childhoods contradict with those idealised in the Euro-American societies.

CHAPTER III

Childhoods and Working Children in Nepal: Identifying the Research Gaps in the Literature

3.0 Introduction

In the previous chapter, I explored the Euro-American concepts and idealisations of the child and childhood, including a brief discussion of child labour within its historical context. The chapter then explained the globalisation of these ideas and debates, which have not only shaped international organisations like the ILO, but also societies worldwide. In this chapter, I discuss diverse childhoods in the specific context of multi-ethnic, multi-linguistic, and multi-cultural Nepal. I then analyse the statistics driven child labour debates of the 1990s and the Nepali state's response to them. The chapter concludes with the identification of research gaps in the literature as they relate to Nepal and to child labour in particular.

3.1 Constructions of Childhoods in Nepal

Nepal, as one of the poorest countries in the world, has a range of childhoods, which may differ from those imagined in Euro-American societies (Nsamenang 1999, Raman 2000, Pattnaik 2005, Behera 2007, Haider 2008). However, the Government of Nepal has tried (and is also forced) to embrace foreign inspired

notions of childhood, exemplified by the fact that the government ratified UNCRC in 1992 without an internal discussion.⁴¹ Advocacy groups, media, and the urban elites appear to be the main beneficiaries of this new idealisation of childhood because the vast majority rural children, who have to struggle daily to make their living, can only dream of it (Ennew and Milne 1985, Blanchet 1996, Montgomery 2001, Penn 2005, cf. Katz 1994, 2004). For instance, anthropologist Tom O'Neill observed that a small group of urban inhabitants and small business owners, who employ children, regard poor families as failing to raise their offspring in the 'proper' way. This proper way being in line with the childhood imagined in the UNCRC, especially Article 32 which talks about children living in a protected space, playing and attending school rather than working (Bradshaw 1993, Archard 2004, Ruwanpura and Roncolato 2006, Tómas 2008). At the same time, they not only believe that working is much better for the poor children, as opposed to remaining with their families in poverty, but also feel proud to have given 'employment' to them (O'Neill 2000). What this suggests is that those who employ someone else's child are willing to completely deny them the kind of childhood that they aspire to for their own children.⁴²

⁴¹ In pointing out the post-1990 Euro-American hegemonic imposition of their ideas and values on other so-called primitive societies, Nieuwenhuys (2009) wrote an editorial entitled 'Is there an Indian Childhood?' to argue the following: "Next to a myriad of quickly growing government and non-government programmes and actions, an avalanche of publications has cast their lives into categories of problems such as 'child labour', 'street children' and 'child prostitution' from which real, living children may seem quite impossible to extricate. The publications allude to the inadequacy of government, the ignorance of parents, the callousness of the public and the lack of educational opportunities, and they construct Indian society as lacking in a fully developed conception of childhood. The resulting image is that the largest child population in the world is in urgent need of outside research, advocacy and intervention" (Nieuwenhuys 2009: 147)

⁴² In fact, Balagopalan (2002, 2008), one of the few South Asian researchers, who is critical of the acceptance of Euro-American universalised childhood by different sections of people in the

Meanwhile, those organisations campaigning for Nepali children's rights to advocate Euro-American childhoods for everyone in Nepal even though it is not feasible for the majority who live under various socioeconomic circumstances (Burman 1994, 1996, Boyden 1997, Aitkin 2001, Penn 2005). Children themselves also differ in their attitudes towards this ideal; for instance, children working under *haliya/kamaiya* practices may express different views of their daily life-worlds to those who attend full-time formal education and help their family only during their spare time (Woodhead 1999, 2001, Montgomery 2001, 2005, Pattnaik 2005, Haider 2008). In the midst of this dichotomy, the perception of childhood, and debates surrounding child labour (or work) in Nepal, need to be carefully considered.

As noted in Chapter II, it is equally important to note that there is no clear-cut distinction between childhood and adulthood in any given society, and this is especially true of Nepal where community practices often override national legislation (Baker and Hinton 2001, Alaraudanjoki 2003, Doftori 2004). In fact, a Nepali anthropologist goes as far as to argue that there are no separate categories of child and adult in Nepal (Bista 1991). He claims that 'for the most part, life is a single continuum with no apparent disjuncture between children, youth and adulthood' (cit. Baker 1998: 69). For Bista (1991), Nepali children

developing world. For instance, she argues that if South Asian researchers also try 'to reinforce a bourgeois childhood as the universal referent' as it has been forcefully done by the Western governments, NGOs, and, in some cases, even by the academics, the complexities of childhoods that exist between and within the South Asian societies cannot be understood (Balagopalan 2008: 575).

learn not just about their gendered identities, but also their 'rights and responsibilities' from an early age to make an economic contribution to household maintenance (ibid.). However, the author has earned a number of critics for generalising about the sociocultural customs of the country. For instance, he asserts that Nepali children are seen as 'little adults' – but he seems to have ignored the asymmetry of adult/children statuses and power within hierarchal family situations as well as the variations between dozens of different caste/ethnic groups (Baker 1998: 70). In certain communities (such as Bahun, Chhetri, and Newar),⁴³ for instance, young boys perform *bratabandha*⁴⁴ as a way of transition from childhood to adulthood (Baker 1998: 73, Doftori 2004: 68). While wearing a *janai* (sacred thread) certainly increases children's responsibility with respect to the ritual (especially in Bahun families), it does not necessarily make them equal to other male adults or independent from their parents. Likewise, the so-called Sanyasi people,⁴⁵ who closely follow Hindu rituals, normally expect boys to perform *bratabandha* only on the day of their marriage without tonsure or the wearing of a *janai*. Although they may get married at the age of 15 or 25, either way, they culturally become adults.

⁴³ According to the national census of 2001, there are a total of 3,030,973 (13.33%) Brahmin (or Bahun), 3,593,496 (15.80%) Chhetri, and 1,245,232 (5.48%) Newar inhabitants in Nepal (see NTG 2006 for details).

⁴⁴ *Bratabandha* involves a day long ritual in which boys (aged roughly 7-12) undergo head shaving (tonsure) and wear *janai* (a sacred thread) around their neck, signifying their transition from the *bal-ashram* (child) to *bramhacharya-ashram* (young bachelor). Baker (1998: 71) offers a table representing the ritual practices of various caste/ethnic communities of Nepal, but it appears to be incomplete and some explanations may be erroneous in terms of the age of transitions.

⁴⁵ The 2001 census of Nepal shows that there are 199,127 (0.88%) Sanyasi inhabitants (NTG 2001), but it is not clear how this category is defined, and it was difficult to find literature regarding the Sanyasi community.

Moreover, there are other groups, whose children do not have to go through a 'rite of passage' to adulthood (Doftori 2004: 68, cf. Behera 2007).

Nepali girls' transition from childhood to adulthood starts once they get married (though their status may be fully recognised as that of an adult only after they have the first child). In poor areas, including Musahar and Tharu communities, the marriage age can be as early as 12, but even younger children may start performing adult roles and responsibilities both symbolically and literally at this point⁴⁶ (Baker 1998, Ahearn 2001, Maslak 2003, Robinson-Pant 2009, Ødegaard online). However, it may be an overstatement to claim that 'throughout Nepal there are no specific initiation ceremonies for girls and marriage is commonly understood to confer their adult status' (Baker 1998: 70). Most notably, the ethnic Newar culture have a custom in which young girls will have to perform *bel bibah* (mock marriage), and after that, their ritual responsibility may increase, but it does not make them adults as in the case of real marriage. Likewise, post-1990 Nepal has undergone tremendous political upheavals, including a violent insurgency between 1996-2006 (Sapkota 2004, Whelpton 2005, Ishii et al. 2007, Gellner et al. 2008). This period has brought many bad things into the Nepalese society,⁴⁷ but it has also forced the government to introduce a number of 'pro-

⁴⁶ Although the Nepali national law has fixed 20 and 21 as the marriage age for females and males respectively, Plan International (2007) reports that almost 50 percent of Nepali girls enter into arranged marriages before reaching their eighteenth birthdays.

⁴⁷ For instance, the Nepal Communist Party-Maoist, which started the so-called 'people's war' in 1996 was widely criticised for using child soldiers. After the ceasefire in 2006, the United Nations has been trying to verify the numbers and age of the insurgents in 7 major camps across Nepal. The preliminary investigations showed a significant number of (both boys and girls) children. In August 2008, the rebel leadership told the UN that child soldiers will be free as soon as possible,

women' policies, including legalisation on abortion, inheritance rights for daughters, female recruitment in the army/police force, citizenship papers for children on the basis of their mother's identity, etc. Recently, local newspapers also reported that Hindu girls/women in certain districts have broken social taboos by performing funeral rites for their deceased parents, which has been done only by the sons up to now, and of some widows continuing to wear colourful dress.⁴⁸ For centuries, such things have been socially unacceptable, especially among Hindu communities, but in the future, these gradual changes, though not yet widespread, might have an impact on the traditional beliefs and rituals, and further blur the idea of marriage as a boundary between childhood and adulthood.

Nonetheless, Doftori (2004) argues that Euro-American children have their 'own identity as a social group' whereas Nepali children do not have the same status as they are not recognised as 'actors in their own right.' He refers to Kakar (1979, 1981), who has studied Indian childhoods suggesting that children in Europe and America can 'enjoy a "public childhood" that surfaced during the industrial revolution,' and is now being protected by national laws (Doftori 2004: 68-69, cf. Ashis 2007[1987]). This leads Doftori (2004) to argue that Nepali children are stuck with the "family childhoods" derived from community norms that basically deny their 'autonomy and agency' (cf. Nieuwenhuys 2009: 147-152) – these two

but as of October 2009, the newspapers have continued to make headlines like this 'Maobadi Shibirma Ajhai Balladaku Rahekoma Ratrashangh Chintit' [UN Concerned about the Keeping of Child Soldiers in the Maoist Militia Camps] *Dainikee.com* cit. Giri 2009a: 43).

⁴⁸ There have been a number of recent news clips like this 'Women of Dang performing last rites of parents' (*Sancharika.org* cit. Giri 2009a: 43).

key concepts are considered important by child-centred/rights-based researchers (Boyden et al. 1998, Woodhead 1998a, 1999, Archard 2004, Ennew et al. 2005). Likewise, the practice of cultural (and by extension economic and political) seniority allows totally different forms of childhoods to be practiced under the same roof so that an employer's children are taught to be 'masters' and to command working children, who may be much older than them, as 'servants' (Nieuwenhuys 1994, Blanchet 1996, Penn 2005, Bühler-Niederberger and van Krieken 2008). At the same time, the majority of poor families dream of experiencing childhood like that of the wealthy few which makes the Euro-American childhood a universal aspiration (Raman 2000, Karunan 2005, Haider 2008).

3.2 Child Labour Statistics and Debates

In the early 1990s, the ILO reported that the developing world had 80 million child labourers aged 14 and below (Kanbargi 1991: 17, Lieten 2005a: 17). However, by making use of specific empirical data (see Anker 2000), the ILO announced in 1995 that there were 250 million working children worldwide between the ages of 5 and 14. Five years later, they further revised their figures to show that there were 208 million child labourers in developing countries, and 2 million in the developed world (ILO 2002: 19, Ennew et al. 2003: 19-20, Lieten 2005a: 17). In geographical terms, Asia contained 60 percent of all working children while Sub-Saharan Africa, Central and Latin America, and North Africa accounted for 23, 8, and 6 percent, respectively (Alaraudanjoki 2004: 2-3, see

also Berlan 2004, Hashim 2004).⁴⁹ South Asia is reported to have 21.6 million child labourers - the largest proportion of working children in the Asian continent (ILO 2002, see Table 2 below).

Table 2: Child Labour Statistics for South Asia

Country ⁵⁰	Working Children (aged 5-14)	Total children (aged 5-14)
Bangladesh	5.05 million	35.06 million
India	11.2 million	210 million
Nepal	1.66 million	6.23 million
Pakistan	3.3 million	40 million
Sri Lanka	0.48 million	3.18 million
Total	21.69 million	294.47 million

Source: ILO 2002

3.2.1 An Overview of Child Labour in Nepal

In 1997, the ILO/IPEC estimated that 261,000 Nepali children (aged 5-14) were working for wages – the highest rate of working children in South Asia (Gurung 2001, Lieten 2004, ILO-IPEC Nepal 2006).⁵¹ It has stressed that 1.58 million

⁴⁹ The fact that Asia accounts for 60 percent of all child workers is because of its higher population. In reality, Africa has the highest actual numbers of child labour, where 41 percent of those aged 5 to 14 work as opposed to 21 percent in Asia, and 17 percent in Latin America and the Caribbean (ILO 2006).

⁵⁰ For child labour literature/statistics on South Asia, see the ILO online and Lieten 2004, 2005. For detailed figures on child labour in Nepal, see Suwal et al. (1997: 24-73), which was financed by the ILO/IPEC in order to produce the first comprehensive picture of working children's situation in Nepal. However, the methodological errors cannot be underestimated, and the use of 1991 Census data also makes it a somewhat outdated reference today.

⁵¹ Lieten (2004: 47-48) reports that at least four criteria are used by the ILO to estimate the extent of working children in Nepal: "First, the economic participation rate: 27.7% are classified

children work in agriculture, and even in urban areas, farming still accounts for 75 percent of total urban child labourers.⁵² An estimated 16,000 rural children migrate every year to the cities and towns for economic reasons, which may explain children's involvement in commerce (9 percent), hotels and restaurants (6 percent), private households (5 percent) and in manufacturing (3 percent). The figure for the so-called 'nowhere' children (i.e. those helping in the family farm or perhaps not working) ranges from 8.6 percent to 15 percent (Seelaus 2004: 49). Geographically, the participation in work of children in the mountain regions is estimated to be 52.3 percent, 45.4 percent in the hilly areas of middle Nepal, and 36.3 percent in the Tarai region along the Indian border (Suwal et al. 1997: 30, Gurung 2001: 232). In terms of age and gender division, there are about 1.16 million male and 1.44 million female workers under the UNCRC

as such (workers). Second, school attendance: 10.8% of the Nepali children are economically active and do not attend school (11.6% in rural areas and 2.3% in urban areas); the other 15.9% economically active children attend school. Third, monetary: 4.5% of school-attending and non-school going children participate in paid activities; 22.2% participate in unpaid activities and 75% of them go to school. Fourth, the time spent working: the ILO allows for 14 hours per week as the cut-off point for light work from 12 years onwards" (Lieten 2004: 47-48). The ILO/IPEC statistics on this point are confusing because "it considers 2 hours of work per day as child labour, which is not strictly the ILO norm, and thus arrives at a child labour incidence of 22.3%. If children working 2 hours a day were excluded, then, the incidence would be reduced to 17.6%. One may further suggest that 14 hours per week is a cut-off point that is easily measurable in developed countries (where labour contracts exist) but may lead to gross overestimations (or underestimations) in countries where the concept of time is different and where classification is done on the basis of recall investigation methods" (ibid.).

⁵² The statistical data on trafficking and prostitution, which falls under the 'the worst forms of child labour' in the ILO Convention, may be missing. Advocacy groups suggest that over 200,000 Nepali girls and women, of whom 30 percent are below the age of 18, are involved in prostitution (about 25,000 in Nepali cities and towns, while the rest are trafficked to India). Further reports show some 12,000 children (mostly girls) are trafficked annually from Nepal to India, and increasingly, to the Gulf States for prostitution purposes (O'Neill 2001).

definition of a child being 18 years old or below (Seelaus 2004: 48); while 58 percent of all child workers are aged 10-14 years, 25 percent are between 5-9 (Suwal et al. 1997: 29). The work participation of girls is slightly higher than that of boys (i.e. 55-45%), but the girls work far longer than their boy counterparts - 88 percent of economically active girls reportedly work 14 hours or more per day (Seelaus 2004: 50, Doftori 2004: 70ff).

As a South Asian country, Nepal also shares part of the world's largest concentration of bonded labour (Ennew 1981, Hewison 1991, Miers 2003, Kaye 2005).⁵³ Of some 27 million bonded labourers globally, an estimated 15-20 million are thought to be in Bangladesh, India, Nepal and Pakistan (Bales and Robbins 2001, LeBreton 2003, Bales 2004, 2005).⁵⁴ Prior to the ban on the *kamaiya* system in 2000, as many as 40,000 ethnic Tharu families worked as bonded labourers in the five Naya Muluk districts of western Tarai. The percentage of bonded people is estimated to be 32 percent in Dang, 16 percent in Banke, 53 percent in Bardiya, 50 percent in Kailali, 27 percent in Kanchanpur, and 7 percent in overall Nepal (Gautam 2001 cit. Edmonds and Sharma 2006: 9,

⁵³ Advocacy groups claim the figure to be as high as 100 million people, but little information is available concerning the number of bonded child workers. For instance, organisations like Anti-Slavery International have argued, given the figure of one million bonded labourers in Tamil Nadu state alone, that the correct figure for the whole of India is more likely to be around 20 million against the Indian government's recognition of only 280,000 individuals. While Pakistan is suspected of having some 6.8 million bonded labourers, the government reported the total number to be between 5,000 and 7,000 (ASI cit. Giri 2004: 2).

⁵⁴ Bales (2004, 2005) and Bales and Robbins (2001) argue that around 123 countries worldwide have a problem with 'modern slaves,' including those involved in bonded labour in Nepal. This kind of indiscriminate categorisation of various forms of work into slavery may serve advocacy purposes, but it is less useful for empirical studies, which is why I have only used to the term bonded labour.

see also INSEC 1992, 1996, 2000). Meanwhile, Robertson and Mishra (1997) claim that as many as 260,000 people may be found under the *haliya* practice, the National Dalit Commission (NDC)⁵⁵ estimates around 150,771 *haliya* labourers in the far-western hill districts, including Darchula, Baitadi, Doti, Achham, Bajhang and Bajura, alone (see also ASI 1999, Giri 2004, 2009a).⁵⁶ Among them, the Baitadi district is suspected to have the maximum numbers of *haliya* labourers with 6,279 in just 18 VDCs.⁵⁷ In contrast, another survey study estimates 189,113 *haliya* or 'long-term farm' labourers, but the authors seem to have excluded many of the high 'incidence' *haliya* districts as reported by the NDC (Sharma and Sharma 2002: 6, see also Hatlebakk 2004: 23-29).

Since the late 1990s, the Government of Nepal has been actively collaborating with the ILO/IPEC to identify children falling into the category of those working in the worst forms of child labour. Of the 16 worst forms of children's work recorded so far, a total of around 270,000 child labourers were found under the following seven types: i) *kamaiya* child labourers, ii) child rag-pickers, iii) child porters, iv) domestic servants, v) children in mines, vi) carpet weaving children, vii) child trafficking (Sharma et al. 2001: 4-6). Although numbers of *kamaiya* child labourers are estimated to be about 58,000, there is no specific information

⁵⁵ The NDC is an advocacy organisation, which aims to expose the plight of low caste communities of Nepal (for details see *Nepaldalitinfo.net* online).

⁵⁶ These districts reportedly have the largest concentration of *haliya* workers while Naya Muluk region has the highest numbers of *kamaiya* labourers. However, *haliya* people may also be found in other districts like Parbat, and Saptari to Morang (e.g. see Dhakal 2007).

⁵⁷ A Village Development Committee (or VDC) is made up of 9 wards, and it is the smallest unit of local government. As of October 2009, there are a total 3913 VDCs and 58 municipalities in Nepal (Giri 2009a: 20).

about *haliya* children. According to Seelaus (2004: 53-69), if one is to take into account the 2001 census data, which puts the child population (aged 5-18) at around 8 million, then, about 3.2 percent of all children may be categorised under ILO Convention (N.182).⁵⁸ Likewise, a follow up survey carried out by the ILO/IPEC in late 2005 suggested that many children (instead of adults) may be 'reverting' back to bonded labour after the government outlawed the *kamaiya* system (Edwin et al. 2005, ILO-IPEC Nepal 2006).

3.2.2 Concerns with the Child Labour Statistics

The Government of Nepal has accepted much lower figures than those estimated by the NGOs, including the ILO. Lieten (2005b: 4-6) suggests several reasons why NGOs might present 'advocacy statistics.' First, high figures have been used to influence public opinion on trade agreements with developing countries. The United States government in particular has rallied against the use of 'nimble fingers' to protect themselves from perceived 'unfair competition' (ibid. 5).⁵⁹ Second, developing countries can be stereotyped and the general negative image confirmed if the numbers are exceptionally large. In other words, 'through stigmatisation of the Other, one elevates one's own culture and one's own involvement (intervention) to a righteous position' (ibid. 5, see also Holland

⁵⁸ ILO Convention N.182 concerning the unconditional worst forms of child labour includes any child below the age of 18 even if the national legislation states otherwise. The working children from the *kamaiya* families are recognised as undertaking an 'unconditional' worst form of labour. As for the other conditional forms the age limit of 14 years seems to be the most commonly used.

⁵⁹ For example, by introducing the Harkin Bill in 1993 against the Bangladeshi garment factories (see White 1996, Myers 2001, Pierik and Houwerzijl 2006, Haider 2008).

2004). Third, NGOs and those working for the welfare of children can use high figures for their own ideological and commercial market strategy. Because of their dependence on various funding bodies, the seriousness of the problem has to be emphasised and high figures serve that purpose. Finally, the indiscriminate inclusion of 'nowhere children' (i.e. those neither at school nor at work) in the estimates has kept the figures artificially high, which will continue to prevent sound analysis until various categories are 'meaningfully separated' (Anker 2000, Lieten 2002, 2004).⁶⁰

Equal suspicion surrounds in countries known to have high incidences of child labour, but show dramatic declines in their official statistics (Gurung 2001). In early 2008, for instance, it was reported that social movements in Nepal had reduced the number of working children to 1 million down from the earlier estimated 2.6 million (CWIN online). Despite the intense campaign against child labour since the late 1990s, it is unlikely that such a sharp decline has taken place when the country has been going through political upheavals, and the public welfare spending has been diverted to military and political purposes (Sapkota 2004, Ishii et al. 2007, Gellner et al. 2008). Since child labour statistics have changed continuously as definitions, measurement techniques, and policy priorities are placed under constant revision, it is likely that the data collection procedures may have made adjustments to the previous 'errors' rather than Nepal actually reducing the number of children working (Lieten 2002, 2005b).

⁶⁰ It is argued that non-separation of various categories has also prevented a crucial distinction between child labour and child work (see Lieten 2005b).

The ILO/IPEC has also helped the Government of Nepal to conduct the National Labour Force and National Living Standard surveys (the first and second surveys were completed in 1999 and 2004, respectively). However, they have failed to provide realistic statistics on the total labour force, including the figures for child and bonded labourers under *haliya* and *kamaiya* practices (Hatlebakk 2004: 1-3, Hatlebakk 2006: 21). It is a formidable task in a country, where the informal sector contributes around 50 percent to the national economy, and absorbs over 95 percent of national labour force (ILO-PRSP 2002, Fafchamps and Shilpi 2003).⁶¹ The government authorities also admit to not having statistics for the 'non-observed economy comprising production activities that are illegal, underground, informal, or own account production and small household activities' (Pandit 2004: 2). It also implies that the total number of bonded (child) labourers, especially those under the *haliya* practice, remains to be precisely estimated, so that the available statistics on Nepali child labour have to be taken with the 'necessary scepticism' (Lieten 2005a: 18, see also Gurung 2001).

3.3 Nepali Government Policy Against Child Labour

In Nepal, the discussion of socioeconomic issues, including children's welfare and child labour became a national issue only after the restoration of a multiparty political system in 1990 (Crawford 1995, Nepal 2007). However, the foreign-

⁶¹ It is reported that Nepal's total labour force stands at over 7.3 million; the annual growth of the labour force is 3 percent (or around 350,000 entering labour market annually) while paid employment is available to only 0.15 million. The official unemployment rate is around 5 percent, but underemployment is estimated at 45 percent, more than 80 percent of the population have agriculture as their principal occupation, and 78 percent of workers are self-employed (Giri 2009a: 50).

funded non-governmental institutions and activists have taken the lead on various social concerns. Since 1990s, there has been a rapid expansion of private media and education sectors, and it was also the period when national and international advocacy organisations, including UN agencies, spread throughout the country (Giri 2004, Dixit 2002, Niraula 2007, Robinson-Pant 2009). Among other things, these organisations and activists initiated awareness campaigns concerning children's rights and against child labour, and also persuaded the Government of Nepal to accept international legislation. In 1992, for instance, it was put under tremendous pressure to ratify the UNCRC. The same year, it also had to adopt the Children's Act, and the Labour Act, fixing the minimum age for child employment at 14 (Crawford 1995, Baker and Hinton 2001).

When the ILO proposed the Convention on the Worst Forms of Child Labour (No.182) in 1999, advocacy groups again persuaded the Government of Nepal to introduce the Child Labour (Prohibition and Regulation) Act although it came into force only in 2004 (Edwin et al. 2005, ILO-IPEC Nepal 2006). The following year, the government banned the *kamaiya* labour system under pressure from local advocacy groups, also supported by Anti-Slavery International and the ILO, who had been staging vigorous anti-*kamaiya* campaigns since the mid-1990s (Upadhyaya 2004, Edwin et al. 2005, CWA 2007). In 2002, the earlier decree was formalised under the *Kamaiya* Labour (Prohibition) Act, and the ILO Convention No.182 was also ratified, setting the age limit for 'hazardous' work to 18, and 'less hazardous' to 14. By now, the advocacy groups had managed to pressure the country to either repeal or modify several clauses of national laws to synchronise

with international legislation.⁶² The enactment of domestic laws and participation in international treaties made it easier for advocacy groups, including the UN agencies, to sell their own 'reports' for public campaigns, and especially for fund raising purposes (O'Neill 2000, Lieten 2005b).⁶³ The authorities, meanwhile, failed to take into account when the diverse sociocultural traditions that govern Nepali communities often override national laws in practice, and, moreover, of (working) children's duties and responsibilities towards their families when ratifying or accommodating international laws (Blanchet 1996, Rankin 1999, Haider 2008).

After mounting complaints about the lack of implementation of anti-child labour laws since the mid-1990s, the Government of Nepal perhaps felt compelled to come up with a programme for working children in the early 2000s. For instance, the National Master Plan on Child Labour (2004-2014) claims that it has been prepared with two key purposes in mind (GoN 2004, Nepal 2007). Firstly, it

⁶² At the moment, the most relevant national laws, for the purpose of studying *haliya* and *kamaiya* children's lives, are as follows: Children's Act 2048 BS (1992 AD), Child Labour (Prohibition and Regulation) Act 2056 BS (1999 AD), Kamaiya Labour (Prohibition) Act 2057 BS (2002 AD), Child Labour (Prohibition and Regulation) Act 2062 BS (2006 AD). The international documents, which the Government of Nepal has ratified, include the 1930 UN Forced Labour Convention (No. 29), the 1956 UN Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery, the 1973 ILO Minimum Age Convention (No. 138), the 1989 UN Convention on the Rights of the Child, and the 1999 ILO Convention on the Worst Forms of Child Labour Convention (No. 182).

⁶³ After His Majesty's Government of Nepal banned the *kamaiya* system in 2000, ILO/IPEC, which entered Nepal in February 1996, reported that it has managed to record 59 remunerated activities performed by Nepali children. These tasks have been clustered into six major categories: a) agricultural work, b) technical work, c) sales work, d) service work, e) production work, and f) construction, transportation and communication work (Seelaus 2004: 51). For the policy and especially for public campaign purposes, ILO/IPEC further classified these 6 categories into 16 sub-groups in order to differentiate between hazardous and non-hazardous types of child work (though it still does not take into account of children's work within their own families).

sought a deeper understanding of the complex issue of child labour by looking at the negative impact on working children and the way that this varies not only according to the socioeconomic status of the families but also according to the different sectors where children work. Secondly and most importantly, it aimed to formulate priority-based policies for immediate implementation by making its own categories of child labour (Draft Master Plan 2001 cit. Giri 2004: 6).⁶⁴ The first category, which is rather incorrectly translated as ‘the extremely’ worst form of child labour, is one that has no age limit, and refers to the following:

- 1) Child slavery such as trafficking for prostitution and other purposes (both girls and boys).
- 2) Bonded child labour, forced child labour, children in armed conflicts, etc.
- 3) Children involved in prostitution and pornography.
- 4) Children involved in illicit activities like drug peddling.

The second category is called the ‘worst form of child labour’ in which the health, morals, and the safety of the child are likely to be harmed by work and for which the age limit is fixed at 18. Finally, the ‘other worst forms’ of work, are categorised as those with which children below 14 years of age should not be involved.⁶⁵ The National Master Plan (2004-2014) essentially parallels the ‘unconditional’ and ‘unresolved’ worst forms of child labour as stated in ILO Convention (No.182), but the government claims to have prioritised 3 categories

⁶⁴ It is interesting to note here that instead of carrying out its own independent study, the government has relied on various reports from the ILO/IPEC and other NGOs to classify children’s activities.

⁶⁵ Since the list is quite long, I have enclosed the second and third categories in Appendix 2.

in order to eliminate the ‘extremely worst’ and ‘worst’ forms of child labour by 2009, and the ‘other’ forms by 2014 (GoN 2004, Nepal 2007).

3.4 Studies on (Bonded) Child Labour and the Research Gaps

Starting from studies of, and concerns about, the carpet factories of the Kathmandu valley, the initial writings on child labour in Nepal concentrated on exposing the use of children as cheap labourers by labour intensive manufacturers (see Jha 1999 for a brief annotated bibliography). Sattaur (1993) was one the first authors to report that children working in carpet factories were bonded to their employers in conditions similar to slavery. Similarly, Tom O’Neill, who carried out ethnographic research in the mid-1990s, also found that some child carpet weavers may have bonded labour relations with either the factories owners or with *thekedar* (middlemen), who bring children to the factories on a commission basis (O’Neill 2003, 2004).⁶⁶ Another study confirms the claims of both of these researchers that some children work in bonded situations because ‘they had been either sold or given to a contractor (i.e. *thekedar*) as an exchange of loans taken out by their parents’ (Alaraudanjoki 2003: 5). The authors have their own suggestions as to why children are bonded. For instance, Sattaur (1993) blames widespread poverty and sociocultural exclusion, including caste discrimination, which allows the factory owners to use

⁶⁶ Although the term ‘bonded labour’ refers to *haliya/kamaiya* agricultural labourers in the western hill/Tarai districts, the author has also applied it to the child carpet weavers, who are largely Tibeto-Burmese and come from the central and eastern hills and mountain. That is because many parents have taken a sum of money in advance, and it has to be paid off by an often unspecified period of work.

children coming from vulnerable communities with hardly any payment. In contrast, O'Neill (2003, 2004) argues that young children are 'victimised not so much by traditional labour practices, but by the capricious cycles of global capitalism' in which numerous small factories, outsourced by major producers, make use of children to produce goods at the lowest possible cost (O'Neill 2003: 413). In subsequent years, an increasing number of social researchers have also examined the issue of child (bonded) labour, placing a particular emphasis on incidents, patterns and policy recommendations (see Seelaus 2004 for an overview). However, hardly anyone seems to be interested in looking in detail at the lives and circumstances and giving a 'voice' to working children (Boyden et al. 1998, Woodhead 1999, James 2007, Komulainen 2007, Lundy 2007).

Although Sattaur (1993) and Robertson and Mishra (1997) were one of the first authors to report on widespread *haliya/kamaiya* practices in Nepal, they did not aim to provide an in-depth analysis of bonded children. Therefore, it may be safe to claim that Sharma (1999) opened the way for others, including some quantitative researchers, in analysing debt bondage in Nepal – sometimes touching upon the bonded situations of children.⁶⁷ Economists like Villanger (1999, 2006) focused on traditional power relations between *kisan* and *kamaiya* labourers. He argues that employers engage in a manipulative approach by

⁶⁷ A number of researchers point to household poverty as the main cause of bonded labour. For instance, Murshed and Gates (2005) and Joshi and Mason (2008) argue that the household poverty among *haliya/kamaiya* families is also a major driving force behind the Nepal's Maoist leadership violent insurgency (officially between 1996-2006) in the rural areas. However, the analysis does not make it clear why the Maoist uprising did not start from the districts like Baitadi or Bardiya that are known have the largest concentration of either *haliya/kamaiya* labourers.

giving labourers a minimum amount of support in times of hardship, including providing a piece of land to build a *bukura/kothar* (a family hut), and then exploiting their labour power. By keeping them within their property, the author asserts, the *kisan* may also use both physical and verbal threats in order to deny the basic labour rights (Villager 2006: 22-27, cf. Genicot 2002).⁶⁸ In discussing the causes of debt bondage and suggesting intervention strategies, Villanger (2006), like Hatlebakk (2004, 2006), presents statistics-based econometric models; there is no input from either employers or labourers. However, Kvalbein (2007), who conducted interviews with former *kamaiya* families, shows that almost half of the interviewees were positive about *kamaiya* contract (as opposed to their current situation in which they have to engage in fixed rate waged manual labour). Besides encountering a number of adult *kamaiya* labourers, the author also notes that child bondedness has increased in the post-2000 period (Kvalbein 2007: 60-65).

Basu and Chau (2003, 2004) and Daru et al. (2005) claim that due to a large asymmetry in credit access between the *kisan* and *kamaiya* labourers 'debt bondage turns out to be an important feature in the cycle of poverty and bonded child labour in agrarian economies' (Basu and Chau 2004: 233, cf. Genicot 2002).

⁶⁸ However, this problem may not be unique to the bonded labour practice. Due to continued lack of legal as well as socio-political commitments in ensuring the basic rights of the labourers, employers, who normally have a close tie with different layers of the state bureaucracy, are largely free to make unilateral decisions on their workers even in the formal economy. For instance, a human rights report on Nepal states that in 2008 'workers did not have the right to remove themselves from dangerous work situations without fear of losing their jobs. Although the law authorises labour officers to order employers to rectify unsafe conditions, enforcement of safety standards remained minimal' (US Department of State 2009: online).

Since the ethnic Tharu people under the *kamaiya* system are unable to coordinate any political action, the authors argue, a rights based approach to bonded labour is likely have a more positive impact than other measures such as trade sanctions (ibid. 234, cf. Fujikura 2001). This would mean that policy-makers should enforce international labour standards and the UNCRC in particular, but Basu and Chau (2003, 2004) are silent about the feasibility and the effectiveness of such legislation and also about the costs. As noted earlier, the Government of Nepal has ratified the ‘fundamental’ treaty documents of the United Nations, besides introducing domestic laws to ‘protect’ children, but the enforcement remains largely on paper (Blanchet 1996, Edwin et al. 2005, Giri 2009a, 2009b).

Edmonds and Sharma (2006) also argue that ‘vulnerability to bondage is associated with reduced schooling attendance and attainment, elevated child labour, and significant increases in fertility’ (Edmonds and Sharma 2006: 17). The authors implicitly follow Basu and Chau (2003, 2004) in concluding that an externally coordinated rights based programme could help accumulate the human capital⁶⁹ of the next generation of *kamaiya* children, and thereby ‘automatically’ remove them from bondage. At the same time, Edmonds and

⁶⁹ In economics, ‘human capital focuses on the economic behaviour of individuals, especially on the way their accumulation of knowledge and skills enable them to increase their productivity and their earnings – and in so doing to increase the productivity and wealth of the societies they live in’ (Schuller cit. Giri 2009a: 55). It is also argued that ‘human capital also includes institutional cultural capital (such as academic qualifications), embodied cultural capital (the ways in which people use language, present themselves, display social competence or confidence etc.) and objectified cultural capital (their ownership or use of material goods such as books or paintings)’ (Montgomery cit. Giri 2009a: 55, see Bissell 2005 for the importance of social capital in the issue of child labour).

Sharma (2006) are not clear how much time and other resources it would take to create human capital so that it would end the bonded contracts for children. In fact, poor parents often do not have authority over their own children because they are sent away to earn household income from an early age.

Meanwhile, a number of qualitative reports on working children have also emphasised that the government must invest in education to discourage child labour. For instance, Doftori (2004) focuses on the role of NGOs in reducing child labour through schooling in Bangladesh and Nepal. In a similar vein to Valentin (2001), who emphasises the importance of formally educating the children of *sukumbasi* (landless) families living in the outskirts of Kathmandu, the author argues that education is one of the most important factors in combating the child labour problem. He asserts that 'the child labour problems in agricultural societies could be resolved by merely rescheduling the students' school hours of attendance and vacations' (Doftori 2004: 4). However, other studies have shown that school distance, quality of curriculum, costs, anticipation of future prospects by parents as well as children determine the value of going to school vis-à-vis working (Boyden et al. 1998, Montgomery 2001, Hashim 2004, Bissell 2005). Likewise, while Doftori focuses on the daily lives of child labourers (such as maids) by collecting stories from advocacy groups, including journalists, the author has not included discussions from either children or their parents, when it comes to what sort of education would they prefer to obtain.

A few available qualitative reports have also excluded *haliya/kamaiya* children's own views of their daily life-worlds. For instance, Holm and Rasmussen (1999) carried out 'life history' interviews in one VDC in Banke and four VDCs in Bardiya

districts with the aim of finding out about the *kamaiya* system in general. Their analysis involves long quotations from transcripts, but the authors have included the viewpoints of advocacy groups more than the *kamaiya* labourers. In the follow up study, Rasmussen (2002) conducted additional 'life history' interviews with the recently 'freed' *kamaiya* adults living in temporary shelters in Geta VDC of Kailali district. However, the author's focus remained on those who participated in 'freedom movements' rather than on the majority of ordinary *kamaiya* families, including children, who were forcefully evicted by their employers without any prior knowledge (Giri 2004, 2009a, cf. Fujikura 2001). Dhakal et al. (2000) also discuss anti-*kamaiya* movements in three VDCs of Bardiya district, but their report is based on their 'own experience with the local people of the area, the scattered field notes, report of action research and other project documents' (Dhakal et al. 2000: 3). Similarly, Fujikura (2001) discusses the role of young people⁷⁰ in socio-political change by interviewing advocacy groups and observing demonstrations in Bardiya and Kailali districts. Like Holm and Rasmussen (1999) and Rasmussen (2002), the author's aim is limited to presenting the viewpoints of a few people who took part in the street demonstrations or those who lobbied against the government.

As for *kamaiya* child labour, I was able to trace only study that claimed to have exclusively focused on it. The ILO/IPEC sponsored Rapid Assessment has been widely praised, including by advocacy groups, the Nepali media and the government for its attempt to view bonded children in the wider context of both the child labour debate and debt bondage among the *kamaiya* people (Sharma et

⁷⁰ However, the author does not make it clear what age group falls under the category of 'young people.'

al. 2001). Since the merits of research findings are widely acknowledged, I have focused on the missing elements, which I hoped to fill in during my own in-depth qualitative study. I have summarised these as follows:

Firstly, Rapid Assessment itself has a number of methodological shortcomings (Fee 2005), and hence limitations in its findings, such as the lack of in-depth coverage of working conditions from the perspective of children in bonded situations (Boyden et al. 1998: 145-46, Woodhead 1999a: 27). For instance, Sharma et al. (2001) noted *kamaiya* children's awareness of the issues of exploitation and abuse, but the time and methodological constraints did not allow the authors to illustrate what exactly these concepts meant for *kamaiya* children themselves (Sharma et al. 2001: 28, see also Fee 2005).

Secondly, Rapid Assessment allows researchers to use large number of surveys and interviews to make the findings generaliseable to the overall situation of the *kamaiya* households living in various VDCs.⁷¹ However, it may be difficult to say that this research sufficiently reflected the living and working circumstances of *kamaiya* children. Sharma et al. (2001) have reported that the demand for children's work is naturally very high during the monsoon season as it is the most important rice-planting period. Researching the situation of working children in the different farming periods, which the Rapid Assessment did not cover, would unearth the intensity of children's work (Fee 2005).

Thirdly, Rapid Assessment uses landholding pattern of the *kamaiya* people and their indebtedness to judge their economic status and poverty levels, but other

⁷¹ It is not clear whether the study has representative samples given that Kailali district alone has 44 VDCs (Giri 2004). The *kamaiya* problem is predominantly a rural phenomenon, but the children are working in the urban areas as well. Moreover, the use of *kamaiya* labour is prevalent in other Tarai districts of Nepal though their numbers may be relatively small.

indicators, particularly non-economic indicators, are excluded. Indeed, abject poverty often leads people to accept bonded contracts thereby foregoing their rights to chose a *kisan* or be able to live an independent life. However, as Blanchet (1996: 4) argues, denial of rights is not only the effect, but can also be 'held equally as the cause of poverty and inequality.' It would be interesting to explore 'how society builds inequality by installing in some categories of children a sense of their inherent inferiority, while others are taught very early to command and act as masters' (ibid.).

Fourthly, the Rapid Assessment survey notes that up to 33 percent of *kamaiya* children attend school, but it was unable to make a detailed analysis of the factors that cause some families to send their children to work while others went to school (Sharma et al. 2001: 17). The comparison of the survival strategies of families, whose children attend school with those who do not, would help understand whether in some families have more bonded labourers than others. The study notes that *kamaiya* children may not be in life-contracts like their parents used to be. As such, the applicability and validity of the research findings would be substantiated by making an in-depth analysis of when and why they terminate their *kamaiya* agreements, and what they do if they are able to free themselves from bonded labour.

Fifthly, the Rapid Assessment study was unable to make a detailed exploration of children's perspectives on their living and working conditions, especially on their physical and psychological well-being, their (future) expectations regarding their work and their views on solutions to the problem of bondedness (Woodhead 1998a, Alaraudanjoki 2000, Maybin and Woodhead 2003, Montgomery et al. 2003, Fee 2005).

As well as the gaps in the research literature discussed previously, I did not find any research on *haliya* practice.⁷²

3.5 Chapter Summary

In this chapter, I analysed the available literature on child labour, including the bonded labour situation in Nepal. The chapter shows the availability of advocacy statistics on working children in various categories/forms of child labour. Advocacy statistics have been used to campaign for the total abolition of child labour, or to persuade the government to enact various laws. This chapter also shows that while many in advocacy groups, the government, and the media talk about the lives of working children, no one seems to give them a chance to express their views, and, although it is not meant to criticise those researchers who chose the methods according to their objectives, many reports are not based on close ethnographic study. Even the advocacy reports, which claim to be exclusively focusing on a particular form of child labour (e.g. *kamaiya* children), are unable to provide a detailed account of children's daily life-worlds, from their own perspectives. Awareness of this gap in research literature was the starting point of my study.

⁷² It was argued that while *kamaiya* system affected a section of ethnic Tharu population living in five western districts, *haliya* labour affects various castes/ethnicities, scattered in dozens of districts. Moreover, the government has not yet made any specific laws against the use of *haliya* labour (though a decree in September 2008 banned the practice). Therefore, it is more difficult to conduct a detailed study or to initiate a plausible intervention programme (Sharma cit. Giri 2009a: 59).

Chapter IV

Studying Haliya/Kamaiya Children's Life-Worlds:

Research Design and Methods

4.0 Introduction

This chapter offers an overview of the research design and methods used to study the lives of *haliya/kamaiya* children in Morang and Bardiya districts. In detailing and justifying the choice of research methodologies, it describes fieldwork locations and the background and selection procedures used to find the participants. It also explains the use of research instruments at various levels of field research, including recruiting and training local research assistants and the management and analysis of the data. Before concluding, this chapter discusses the entire process of field research, including issues such as fieldwork ethics, validity and reliability of qualitative data analysis and presentation.

4.1 Choice of Research Design and Methods

This fieldwork-based research explored working children's everyday life-worlds under the *haliya/kamaiya* systems. Considering the sensitive nature of the research and the lack of existing detailed studies, this research relied on qualitative approaches to effectively document the history, culture and the

economics of child bondedness in Nepal. Given 'its express commitment to viewing events, actions, norms, values, etc., from the perspective of the people who are being studied' (Bryman 2004: 61), qualitative research⁷³ may be considered as one of the most 'valid and meaningful way to study human beings' (Patton 2002: 38). By using multiple research techniques like in-depth individual/group interviews, participant observation, and group discussions, this research was able to a) gain an in-depth knowledge about *haliya/kamaiya* practices, and b) explore bonded children's perspectives on their daily lives.

I carried out fieldwork in different phases (taking seasonal variations in children's working patterns into consideration) in order to explore thoroughly the nature of *haliya/kamaiya* child work, including children's knowledge and perceptions of their bondedness, their physical and psychosocial conditions at work, and their future expectations (Boyden et al. 1998, Woodhead 1998a, 1999a, 2001, 2004).

4.1.1 Field Data Collection Phases

I had to be sensitive to the diverse experiences, attitudes and actions of *haliya/kamaiya* children whose lives are constrained by pervasive structural

⁷³ "Qualitative research is multi-method in focus, involving an interpretive, naturalistic approach to its subject matter. This means that qualitative researchers study things in their natural settings, attempting to make sense of, or interpret phenomena in terms of the meanings people bring to them. Qualitative research involves the studied use and collection of a variety of empirical materials - case study, personal experiences, introspective, life story, interview, observational, historical, interactional, and visual texts - that describe routine and problematic moments and meanings in individuals' lives" (Denzin and Lincoln 1994: 2).

forces (Blaikie et al. 2000, Blaikie et al. 2002). This meant that I had to conduct field research in three phases, which is summarised on the table below:

Table 1: Fieldwork Plans and Expected Outcomes

Schedule	Activity and participants	Outcomes
Phase I: July- November (2006)	Interviews/discussions with key stakeholders (NGOs, local authorities, village chiefs, etc.). Formation of local ethics advisory team (i.e. the researcher, an local academic, a government official). Household survey questionnaires in selected field research sites. Initial talks with Musahar/Tharu parents, and their <i>haliya/kamaiya</i> children	Understanding socioeconomic conditions under which the <i>haliya/kamaiya</i> systems operate. To oversee ethical issues specific to the local cultural context. Training research assistants; identification of field research sites and negotiation with participants. Exploring <i>haliya/kamaiya</i> children's use and understanding of various bonded labour terms and definitions.
Phase II: January- March 2007	Observation of the <i>kamaiya</i> labour contract during Maghi festival (after mid-January). In-depth interviews and case histories with adults, who had worked as <i>haliya/kamaiya</i> labourers. In-depth study (viz. interviews and group discussions) with 19 <i>haliya</i> and 31 <i>kamaiya</i> child	Understanding the annual labour contract between Tharu parents/children, and employers. Parents' experiences of bonded work and their opinions on pre-and post-2000 <i>haliya/kamaiya</i> practices. A detailed exploration of <i>haliya/kamaiya</i> children's daily lives from their own viewpoints.

	workers.	
Phase III: September- October 2007	Follow-up interviews with previously studied <i>haliya/kamaiya</i> children. Interviews and discussion with pre-and post- <i>haliya/kamaiya</i> children, including case histories with several of them. Interviews with <i>haliya/kamaiya</i> employers and local NGOs.	Further exploring and clarifying children's perspectives, including seasonal variation of bonded work. Comparing children's life and work between home and away. An alternative outlook on <i>haliya/kamaiya</i> systems, and Musahar/Tharu communities.
Debriefing: April-May 2008	A final debriefing with <i>haliya/kamaiya</i> to discuss their participation and their stories.	Getting approval from <i>haliya/kamaiya</i> children to use fieldwork materials (i.e. interview extracts, pictures, drawings) etc.

I conducted a pilot study during the first part of the first phase of fieldwork because it would be costly and time consuming to fly to Nepal from England just for this purpose. As I discussed in the various section of this chapter, the pilot study was intended to get access to the fields work sites, especially to my research participants, and to test various research methods and techniques for an in-depth study. For this reason, I had to spend some time to arrange fieldwork locations and meet my prospective participants through the help of local stakeholders/gatekeepers as well as through household survey questionnaires.⁷⁴

⁷⁴ During the pilot study, it was necessary to carry out a quick survey about Musahar and Tharu families, whose children were suspected of working as bonded labourers, but initially the parents as well as local chiefs denied by pretending as if nothing was happening in their area. Thus, the

Doing this was relatively easy, but my attempt to fully inform about my research objectives, including ethical concerns, to Musahar and Tharu parents, and especially to their children, working as *haliya/kamaiya* labourers, took a much longer time than expected. Clearly, the main issue was that of building a mutual trust. Initially, most Musahar and Tharu families appeared to be afraid of talking to strangers like me.⁷⁵ As a trust building measure, I specifically devoted a large part of my pilot study time to be in the fieldwork sites, including finding ways to interact with as many children (and also their parents) as possible. Subsequently, I got involved in various participatory activities like encouraging children to take pictures, play local games with me, make drawings and paper dolls, etc. In this way, I was able to conduct, so to say, 'test talk' with them, both informally and through interviews, about their lives and work at home and away. Once I was confident of obtaining useful data from my research participants, I could conduct a detailed study of *haliya/kamaiya* labour practices, which is analysed and presented in chapters V-VIII.

The analysis of the pilot study also gave a fairly good idea about the usefulness of various data collection techniques and interview questions, which were modified for the subsequent phases of fieldwork. So, the second phase of field research focused further on interviews, and especially on observing the processes involved in making the annual contracts between Tharu parents/children and

survey idea gave them the impression that if they participated, the development projects will follow soon after. See Appendix 4d) 'Household Survey Questionnaire' for details.

⁷⁵ Although literacy was an issue among *haliya/kamaiya* children, it did not take much time and effort to teach them to use basic audio and visual tools such as digital recording devices, cameras, or camcorders (see Visual and Participatory Methods section for details).

potential employers, which takes place every Maghi festival (after mid-January). After interviewing parents about their perspectives on pre-and post-2000 *haliya/kamaiya* practices, follow up interviews and discussions were carried out both individually and in groups to provide further details of Musahar and Tharu children's bonded life-worlds.

The analysis of field research materials collected in earlier phases also allowed me to make further adjustments in the field study plans so the aspects that were either unclear or left out in previous research trips were fully covered. The final phase of fieldwork, therefore, also covered the seasonal variation in the use of bonded child labour, and working children's comparisons of their lives at home and away as well as their future perspectives. Despite their initial hesitations to take part in conversations, especially in Bardiya district, it was possible to interview a number of *haliya/kamaiya* employers. The inclusion of employers' perspectives, and comparing those with the accounts of children, their parents and NGOs, further enriched the analysis of my field data.

4.2 Field Research Locations

Out of 75 districts in Nepal, at least nine districts reportedly have a large number of *haliya* labourers, while the *kamaiya* practice is concentrated in five Naya Muluk districts (Robertson and Mishra 1997, Edwin et al. 2005). This study was carried out in Bardiya (for *kamaiya*) and Morang (for *haliya*) districts, which were purposively selected during the pilot study period. While the former is one of the two districts reported to having the large numbers of yet-to-be

rehabilitated (freed) *kamaiya* families,⁷⁶ the latter district is not considered to have widespread *haliya* labourers, but the people working under this practice here largely affects Musahar community like their *kamaiya* counterparts who belong to (Dangura) Tharu kinship (Krauskopf 1989, Skar 1999, Ødegaard online). As such, I felt it would be easier to conduct my study here rather than in other districts like Baitadi where *haliya* labourers belong to multiple castes and ethnicities (ASI 1999). Other logistical reasons, including the accessibility of field sites also determined the selection of study locations. In particular, Nepali researchers advised me to consider the travel distances and the volatile political situation and recommended me to study in those districts that would permit relatively easy and safe entry and exit throughout the field research. Since a bus journey from Kathmandu to some *haliya* or *kamaiya* districts can take more than a day, the choice of district was limited to those relatively easily accessible rural areas of Morang and Bardiya districts, which have relatively good bus services and are also located just a few hours away from the domestic airports. This did not mean that I flew in and out of my field sites daily, which would also not be feasible in terms of costs, but was largely a precautionary measure in case political troubles spread to the area (see also Chapter IX for more reflections on fieldwork). Through the use of existing social networks with local people, it was also easier to find local language research assistants specialising in these districts (see also Edwards 2003).

⁷⁶ In its 2009 country report, the US Department of State (online) writes that 'most *kamaiyas* not rehabilitated lived in Bardiya and Kailali districts' (original emphasis). During my pilot study in July 2006, the local researchers, advocacy groups, and some of the *kamaiya* leaders had told the same story so it was also a logical choice for me to take Bardiya as my study site.

4.2.1 *Sampling of Research Participants*⁷⁷

Because of clandestine nature of bonded labour practice in post-2000 Nepal, I made use of purposive sampling⁷⁸ (along with the support of local stakeholders and assistants) during the pilot study to identify and approach my research participants. Purposive sampling, which is commonly used in qualitative fieldwork-based studies, allowed me to identify those Musahar/Tharu people possessing relevant characteristics for the proposed study (Mays and Pope 1995, Bryman 2004). However, there is no consensus among social researchers about sampling and sample size, especially the question of how many interviews is sufficient for a qualitative study such as this one (Kvale 1996, Bell 2005).⁷⁹ Likewise, although it might be desirable to continue the sampling exercises until

⁷⁷ In the Appendix 4g): 'A Brief Introduction to Fieldwork Villages, and Participants.' I have offered short profiles of many of the key informants, including parents, employers, and NGOs in order to help readers better understand the background of the research participants.

⁷⁸ See Patton (2002: 243-44) for various types of sampling, and McCall (2006) for a chronological history of fieldwork, and for a detailed account of actual fieldwork experiences see Hitchcock 1970, Georges and Jones 1980, Kumar 1992, Jackson and Ives 1996, Smith and Kornblum 1996, Thapan 1998, Watson 1999, and Srinivas et al. 2002.

⁷⁹ Social researchers writing about the sampling techniques suggest a variety of ways to select research participants (Kvale 1996, Robson 2002, Patton 2002, Bryman 2004), but many seem to be silent about the actual sample size that is appropriate for a particular type of research, and others have varied opinions. For Bertaux (1981) it is unacceptable if the sample size for a qualitative research project is less than 15 whereas Kuzel (1992) recommends 'six to eight interviews for a homogenous sample, and 12 to 20 data sources 'when looking for discomforting evidence or trying to achieve maximum variation' (cit. Guest et al. 2006: 61). Morse (1994) suggests 'at least six participants for phenomenological studies; approximately 30-50 participants for ethnographies, grounded theory studies, and ethnoscience studies; and 100 to 200 units of the item being studied in qualitative ethology' (ibid.). Creswell (1998) recommends the sample size 'between five and 25 interviews for a phenomenological study and 20-30 for a grounded theory study' while Bernard (2000) proposes 30-60 interviews for ethnographic studies (Guest et al. 2006: 61).

'data saturation' is established (Bryman 2004: 305 & 544), the author's previous field research experience with Sudanese child domestic workers did not suggest the necessity of saturating field data (Giri 2006). In this work, I discussed Sudanese children's perceptions of their living and working conditions at their employer's home, but the responses given by 20 interviewees in the first stage of fieldwork were almost identical to those of the second group (ibid.). In my research in Nepal, therefore, I aimed to interview a total of 58 *haliya/kamaiya* children, but their participation steadily decreased in the follow up research because of various personal and family circumstances. However, as I was able to carry out in-depth study with about 30 Musahar and Tharu children, and was also able to communicate some of those who had left bonded contract by the end of my fieldwork.⁸⁰ For their parents, employers, and other stakeholders, the sample target had to be based on their availability and willingness to take part in conversations/interviews.

4.2.2 Age and Gender Representation

The UNCRC defines a child as 'every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier' (Article 1, see also Archard 2004). Following on from this, the ILO Convention (No.182) also considers anyone below 18 as a child, and calls for an immediate action if children up to that age are carrying out 'unconditional' worst forms of labour (White 1999, Myers 2001, Noguchi 2002, Invernizzi and Milne 2002,

⁸⁰ There was about 25 percent attrition rate of my participants, which sharply fluctuated not just during the three phases of fieldwork, but also within each phase.

Woodhead 2004). In Nepal, the government decrees and laws state that working under *haliya/kamaiya* practices is totally unacceptable regardless of age or gender. Rather than merely following the legal or government documents concerning the age and gender restrictions to certain kinds of children's work, I have followed the recommendations made by child researchers (e.g. Blanchet 1996, Boyden et al. 1998, Woodhead 1999, White 2003).

A number of studies conducted in developing countries have shown that children ranging from 5 to 16 years may engage in various economic activities, but those below the age of 10 normally do not assume full working roles, as expected by their society (Blanchet 1996). For *haliya/kamaiya* employers, older children over 16 may be less controllable while the very young ones (e.g. under 10) may be unable to carry out many tasks. Therefore, either extreme is less attractive for an employer wishing to hire children who will accept low payment and be obedient. For this reason, I have concentrated on children aged 8-16 because they were numerous, visible/accessible, and were able/willing to participate in my study. Moreover, it has been suggested that

Between the ages of roughly 6 and 14 children develop a growing awareness of self and others, adapt to a rapidly widening social world, learn about autonomy and how to take control of and manage their own lives, and expand their competence in reasoning, thinking, and problem-solving (Boyden et al. 1998: 91)

It should be emphasised that I chose to study children aged 8-16, but I could not be certain about exact ages because birth registration is not common in Nepal

and it is unlikely that the illiterate Musahar/Tharu parents were able to keep exact records. I had also hoped to have half of the sample participants below 12 years old and the other half above that age, but given the logistics of fieldwork, it was challenging to achieve such a balance in practice (Oliver 2003: 95-98, see also de Laine 2003). In Bayibab, the majority of boys were aged 11 and above, but the situation was opposite in Nayajib. In such circumstances, the age and gender representativeness of my participants could not be guaranteed.

4.2.3 Recruiting Research Assistants

Nepal is a multi-ethnic and multi-linguistic country, where traditional norms and values can sharply differ from one community to another. Researchers who have carried out studies in the country have often depended on local support to overcome various barriers arising from different ethnicities, gender, languages, and cultures (Panter-Brick et al. 1996, Baker 1998, Askgaard 2000, Valentin 2001, Alaraudanjoki 2003, Doftori 2004, Seelaus 2004). It was also difficult for me as a Nepali, though the extent of problems I encountered were different. Although I was in some respects an insider, I too needed assistants not only with local dialect knowledge from the actual fieldwork locations, but also to gain participants' confidence relatively quickly, and to increase the chances of more accurate responses (de Laine 2003, Edwards 2003). I recruited four research assistants⁸¹ (two each for Bayibab and Nayajib settlements, respectively), who were university students and who had previously carried out fieldwork for

⁸¹ The assistants were reimbursed for their time and expenses on an hourly basis in accordance with Nepal's local conventions and practices.

NGOs. They underwent intensive training for about ten days in which I explained the details of the research objectives, including my ethical guidelines. They also learned to use research equipment (such as digital recorders, camcorders, cameras) and I trained them to conduct first mock and later interviews. Once the in-depth study began, two assistants at a time accompanied me when I conducted individual/group interviews and discussions (Kvale 1996). The same persons worked during all three phases of field research, which made it easier for participants to express opinions and share their experiences of bondedness.

After the end of the discussions and interviews, a debriefing⁸² meeting was held to discuss any problems my research assistants felt in the field and to seek possible remedies, as well as identifying possible themes, which were emerging from the collected data (Kvale 1996). With the permission of participants, digital voice recorders were used for the talks/interviews, but field notes were also made, especially in situations where the participants felt uncomfortable with the recording devices. While field notes were written up and organised on the day of interview, the transcription could not be done until leaving the field due to distractions and the practical problems of having no electricity in the evenings or mornings. In a day, a maximum of three interviews and/or discussions were

⁸² I held an informal debriefing with my participants, including research assistants so that they could feel comfortable to talk about their experiences during the fieldwork period. With my assistants, I discussed about our achievements in relation to my research objectives, and also about the ways we could cover the remaining important aspects. In particular, I talked about how to a) stay focused on our topic, b) show genuine interest in children's lives and invite them to talk more, and c) obtain permission to share information on a much deeper level with other participants. Likewise, debriefing with children allowed me to discuss the situations in which they a) seemed confused, b) I was unsure and required clarifications, and c) needed an elaboration for certain recurring themes during our interactions.

carried out in order to preserve the quality of data. During all three phases of fieldwork, I remained as the principal researcher, but in a few instances (such as when discussions turned to the subject of abuse), my research assistants had to naturally take a greater role than me. My participants would find it very hard to discuss their very personal matters with me as a non-Musahar/Tharu male, and, moreover, someone who did not come from their neighbourhood.

4.3 Research Methods

I used in-depth interviewing as one of the primary data collection methods, but I also made an extensive use of other complementary techniques such as observations and participatory activities. I will briefly discuss each of them below.

4.3.1 *In-depth Interviews and the Length of Time*

At the beginning of field research, *haliya/kamaiya* children were identified through local gatekeepers and household survey questionnaires (Patton 2002: 385-91). Then, sub-sampling was made on the basis of a) working children's responses in the initial interviews, b) their availability and willingness to participate in longer and more detailed studies, and c) the suggestions of the research assistants. In terms of actual interview time, my research assistants and I tried to interview both *haliya/kamaiya* children for no more than an hour and in as 'non threatening' and 'friendly' manner as possible (Yin 2003: 90). The timing was based on the suggestion that when interviewing

Anything under half an hour is unlikely to be valuable; anything going much over an hour may be making unreasonable demands on busy interviewees, and could have the effects of reducing the number of persons willing to participate, which may in turn lead to biases in the sample that you achieve (Robson 2002: 273).

It was important to maintain data quality, but also to take into account the children's personal circumstances. In this regard, semi-structured interviews also had the potential to minimise power inequalities between the researcher and participants and careful attention was paid in finding an appropriate environment in which children felt comfortable expressing their views on, sometimes, sensitive issues like physical, psychological, or sexual mistreatment (Woodhead 2004). For instance, those children who did not feel comfortable or did not have time to participate in a group were interviewed individually, at the time of their own choosing, while others got involved in both individual interviews and group discussions.⁸³ Depending on the situation, I also ran interview sessions as a form of storytelling, which is popular in Nepal, by encouraging children to tell the story of another child who was/is living in similar conditions. This was 'more culturally relevant and also less frightening for some children' (Oates cit. Giri 2009a: 68). If a difficulty persisted, I applied other complementary methods (observation, informal discussion, visual tools, etc.) to make children feel comfortable (Woodhead 1998a, Patton 2002, Bryman

⁸³ Most *haliya/kamaiya* children were living in different places and/or worked for different employers so they would not get time off at the same hours to participate in-group interactions. Likewise, while some felt uncomfortable sharing their life stories in groups, others appeared nervous if they had to speak individually. Therefore, it was important to be quite flexible.

2004). In this way, it was possible to seek and understand participants' experiences, perceptions, and (future) expectations of the world of bonded labour in greater detail.

4.3.2 Participant Observation

An interview alone could not reveal detailed data on sensitive or illegal issues such as bonded child labour, and this situation compelled me to consider alternative techniques like participant observation or other participatory tools. According to some social researchers, combining interviews with participant observation is most useful when the topic deals with sensitive issues or when the researcher is 'seeking insights into an area or field which is new or different' (Robson 2002: 190). My research topic was not just new, also required a multiple approach to overcome its complexity like the way Hammersley and Atkinson (1995: 131-33) suggest:

There are distinct advantages in combining participant observation with interviews; particular data from each can be used to illuminate the other... one's experiences as a participant observer can have an important effect on how one interprets what people say in interviews...(It) can lead us to see things differently in observation.

Participant observation allowed me to participate in events to explore various aspects of the area or community being studied (Thomas and O'Kane 1998, O'Kane 2000, Yin 2003, Bryman 2004). For example, my assistants and I joined *haliya/kamaiya* children, with their permission, while they were grazing animals,

fetching water or working in the farm/factories⁸⁴ to observe their work circumstances and their interactions with each other (Bell 2005). This helped to build trust with the participants, which enabled them to discuss their personal lives more freely. In the second phase of fieldwork, the friendship between my participants and me also facilitated me in observing the ways in which bonded labour agreements between parents and employers took place clandestinely.

4.3.3 Visual and Participatory Methods

Qualitative researchers are encouraged to apply situational research techniques (i.e. mixing verbal, visual, and written methods) to collect a variety of complementary field data (Baker et al. 1996, Woodhead 1998a, O’Kane 2000, Askgard 2000, Rubenson 2005). Indeed, the use of multiple data collection tools became the backbone of this research. Even for the initial study, I made use of the participatory activities suggested by Woodhead (1998) in *The Children’s Perspective Protocol* (see Appendix 4f).⁸⁵ With its eight core sets of participatory activities aimed at exploring as many aspects of participants’ lives as possible, *The Protocol* does not assume that research participants are literate, which made it helpful in my work with largely illiterate bonded children. Instead, it gives

⁸⁴ It should be made clear that my assistants and I were able to participate in children’s activities while they were with their families, or in rare cases, with the consent of their employers (which was normally possible among some *haliya* children).

⁸⁵ Although I have provided only a summary of the *Children’s Perspectives Protocol* of Woodhead (1998), I had translated the entire *Protocol* into Nepali language in order to utilise it effectively during the fieldwork. I felt it was necessary to do this because the group activities described in the *Protocol* cannot be carried out by a researcher alone, and my research assistants, who were not fluent in English, could not follow it if they did not fully understand the details of the procedures.

them the opportunity to represent their daily lives in a variety of ways that are meaningful to them (Davis 1998, Woodhead 1998a, 1999). Besides making participants feel comfortable to participate in the research, the participatory and visual techniques were also useful in exploring the children's use of terms and definitions, their daily work routines, and in developing their visual representations of their living/working conditions (see also Wilkinson 2000). Through these methods, I was able to build trust and confidence with the *haliya/kamaiya* children and unearth a detailed account of how bonded labour affects their lives.

4.4 Research Instruments and Logistics

Prior to embarking on the pilot project, a list of unstructured interview questions and guidelines was first prepared in English and then translated into Nepali. At the start of the field research, these questions and guidelines were discussed with various stakeholders, gatekeepers, research assistants and the potential child participants. Following their feedback, adjustments to the overall research plan were made, including the translation of the research objectives and questions into Maithili and Tharu dialects to enable the *haliya/kamaiya* parents and children to understand and respond in their mother tongue. I initially explored the following topics with at least four different types of respondents (children, parents, employers, local leaders/NGOs/researchers) in order to prepare for detailed interviews/discussions in the follow up studies.

- a) How to identify and approach *haliya/kamaiya* children
- b) The opinions of various local NGOs on bonded labour

- c) The local terms and definitions of bonded work
- d) The extent of local understandings of anti-child labour laws, and the law against *kamaiya* system

As the focus of this research was on the working children themselves, the following topics were also examined:

- a) What is the household situation of Musahar and Tharu families whose children work as *haliya/kamaiya* labourers?
- b) What are the working and living conditions of *haliya/kamaiya* children?
- c) What are children's perceptions of the physical and psychosocial impacts of bonded work?
- d) What are children's expectations for the future after working as bonded labourers?

A detailed list of interview/discussion questions used during different phases of field research is presented in the Appendix.⁸⁶

4.4.1 Recognising Participants' Time and Efforts

There are debates about whether or not to compensate qualitative research participants financially (Patton 2002: 412-15). Academic researchers are divided between those arguing for research to be conducted freely as a public good (Kirby 1999), and others proposing that participants be offered cash or other goods depending on their needs and circumstances (Alderson 1995, Masson

⁸⁶ See Appendix 4e), and Appendix 4h) to 4k) for the details of in-depth fieldwork questions.

2004). In the case of Nepal, researchers have made certain donations; for instance, Edmonds (2003: 10) writes,

In some cases, children and their parents have gratefully accepted awareness-raising items (i.e. programme-related T-shirts, calendars, school bags, etc.) or health-related items (i.e. toothpaste, band-aids, bandages, etc.) in recognition of their participation in research activities.

In this study, if a child was expected to bring home money and s/he could do so safely, some cash was given, otherwise other gifts like clothes, sweets or stationery were offered. By explaining the scope and objectives of the research as clearly as possible, I tried to make sure that children did not take part in fieldwork merely because of the reimbursement, and I also tried to 'avoid raising expectations of dramatic lifestyle changes as an outcome of the research activity' (Edmonds 2003: 10, cf. Kirby 1999).

4.5 Data Management and Methods of Analysis

It is said that the process of data analysis starts from the beginning of fieldwork (Hammersley and Atkinson 1995, Yin 2003, Maxwell 2005). In my study, too, the review of interview questions and transcripts as well as discussion of common themes was a continuous process throughout the field research. This was particularly helpful in refining questions for successful group discussions and in-depth individual interviews concerning sensitive topics like physical or sexual abuses. The systematic in-depth analysis of field research data, however, was carried out only after terminating the field research in Bayibab/Nayajib

settlements of Morang/Bardiya districts, respectively. As a usual process, the first step was to transcribe the field research materials, originally recorded in Musahar and Tharu dialects, from Nepali into English for the analysis. Secondly, I tried to familiarise myself with the transcripts by reading them multiple times for coding and identifying general themes. Thirdly, I planned to put the coded interview extracts together as a way of rearranging the textual data according to the thematic content generated earlier. In trying to do so, I realised that it was going to be a very long and difficult task to manage and analyse the large volume of data that was collected during three phases of fieldwork, using multiple methods and techniques. Indeed, social researchers agree with the fact that it is often difficult to make sense of a large quantity of field data by 'reducing the volume of raw information, sifting trivia from significance, identifying significant patterns, and constructing a framework for communicating the essence of what the data reveal' (Patton 2002: 432). As such, I also had to seek alternatives ways of managing the mass data storage, coding, retrieval, comparing, and linking codes and themes (Atkinson and Hammersley 1998, Coffey et al. 1996).

In the recent years, a number of computer software packages⁸⁷ have also been designed to support the qualitative data analysis (Patton 2002, Bryman 2004,

⁸⁷ Currently, there are two most popular softwares in the market, namely ATLAS.ti® and NVivo®. ATLAS.ti, developed by the ATLAS.ti Scientific Software Development GmbH allows user to manage a large volume of qualitative data by way of locating coding, and annotating findings in primary data material, to weigh and evaluate their importance, and to visualize complex relations between them. Likewise, NVivo® refers to a computer software package, which is produced by QSR International, to be used by qualitative researchers working with rich text-based and/or multimedia information in order to make deep levels of analysis on small or large volumes of data (see Flick 2009 for a discussion).

Mays et al. 2006, Flick 2009). Indeed, the use of software programs like ATLAS.ti or NVivo would make it easier me analyze the vast quantities of fieldwork data that I collected through interviews, observations and other participatory research techniques. At the same time, it would also take some time to become a competent user of such softwares, and even if I could use them, many aspects of qualitative analysis would have to be done manually (ibid.). For instance, regardless of the technical superiority, these softwares could not understand the diverse (and often contradictory) viewpoints of the participants in the text. Likewise, not all social researchers are fully supportive of the use of qualitative data analysis softwares (e.g. see Miles and Huberman 1994: 311-14, Flick 2009: 358-72). After experimenting with manual analysis and also understanding the shortcomings of the softwares, I took the following steps to combine both to enhance the quality of in-depth analysis (ibid.). First, I used NVivo program⁸⁸ to handle the entire fieldwork data that was transcribed and typed in the computer because it would take much less time to get used to relating to data and also to quickly scroll through it on the screen regardless of its length/volume. Secondly, although the solely paper-based coding/indexing approach was also possible, it would be quite laborious to cut and paste the refined codes whereas the flexibility of NVivo enabled a constructive way of coding without having to lose data parts. Thirdly, the use of NVivo program also eased the difficulty in trying to explore categories and subcategories in the paper based analysis, and refining the categories by going back and forth into the entire data. I could also look for

⁸⁸ During the months of July and August 2007, the ICT Helpdesk of the Open University (Milton Keynes) offered two training sessions for NVivo® 7 in which I received a certificate as an intermediate level user. It meant that I had the sufficient knowledge to use the software for my field data analysis.

recurring patterns and discover new ones, and focus on building major themes by constantly interrogating all sorts of data simultaneously. Hence, I was not only able to look for hidden patterns or alternatives viewpoints vis-à-vis those appeared to dominate the fieldwork data, but also compress children's expressions and voices in the text into fewer theme categories in order to prepare relevant excerpts to write draft chapters.⁸⁹ Finally, as discussed shortly, the rigorous process of coding and data management helped me to collectively study volumes of data, and it also allowed me to construct and test various theories/explanations of bonded labour practices in Nepal.⁹⁰ This, in turn, further helped to enhance the trustworthiness of the entire fieldwork exploration and the data collected in various forms. In terms of writing up of my research, I followed a mixture of ethnographic and narrative style in order to present the daily life-worlds of working children (and also their parents), presenting the ways they interpreted and made sense of the *haliya/kamaiya* practices in which they live and work. By way of triangulation⁹¹ (Bryman 2004,

⁸⁹ It may be worthwhile to note that some quality in the data was likely to be lost because of multi-level transcriptions/translations (i.e. Musahar/Tharu dialects to Nepali, and then to English). Likewise, the actual words of some children's voices may appear distorted because I had to add certain words or phrases to make sense of the transcripts but I have, as far as possible, kept their meaning intact (Davis 1998, Lynch 2000, see also Chapter IX).

⁹⁰ As pointed out elsewhere, despite having many useful properties, NVivo software does not provide a magic bullet to data analysis, and it was only by hands-on analysis and mental processes that would lead to the meaningful interpretation and understanding of the overall field research data (e.g. see Blismas and Dainty 2003).

⁹¹ Denzin (1970/2006) purposes at least four types of triangulations to map of the complexity of human behaviours and their by enhance the credibility and validity of the data collected from multiple sources. For him, 1) data triangulation refers to time, space, and persons, 2) investigator triangulation refers to the involvement of multiple researchers in an investigation, 3) theory triangulation means that using more than one theoretical scheme in the interpretation of the

Flick 2009), I was able to incorporate different types of fieldwork data collected from various sources to produce an account that put the understanding of Musahar and Tharu children's bonded life-worlds into fuller and more meaningful context (Hammersley and Atkinson 1995, Sluka and Robben 2007).

4.6 Challenges with the Research

As noted earlier, because of the illegal nature of the bonded labour, one of the major obstacles was getting access to research participants. The NGO-led movement against bonded labour in the late 1990s, which followed a ban on *kamaiya* practice in 2000 (Rasmussen 2002), may have added social stigma to bonded work. Hence, current bonded labourers, be they adults or children, were sometimes unwilling to acknowledge to the strangers that they were involved in *haliya/kamaiya* contracts. The same principle also applied to those who hired bonded labourers. Because of this, I was concerned before I started fieldwork that many potential participants might refuse to participate in the discussions/interviews (de Laine 2003). In particular, they may not talk about their personal experiences particularly concerning any instances of physical or sexual maltreatment, and even if they do, they may not reveal a full or true story. Issues such as these could add some errors to the analysis and to my interpretation of the research data. However, I attempted to overcome the aforementioned problems by identifying as many potential participants as possible (i.e. 'over sampling') and by using multiple data collection techniques.

phenomenon, and 4) methodological triangulation implies the use of more than one method to gather data, such as interviews, observations, questionnaires, and documents (cit. Giri 2009: 80).

The other measures included talking to participants at a time and place of their own choosing, assuring them of complete anonymity and confidentiality, and negotiating a number of follow up informal visits (Christensen and Prout 2002).

There were other problems, which I had to keep in mind throughout this research. I was aware that children's perceptions of their daily life-worlds were likely to fluctuate depending on how negative or positive they were feeling at the time of conversations. I also wanted to include their parents' experiences as bonded labourers, but realised that this too could lead to biases because people might not recall everything that happened to them in the past, and even if they could, might not be able to express their experiences as they happened at the time. However, the use of situationally appropriate research techniques and instruments, the native research assistants who came from the same area, and/or caste/ethnicity, and continuous debriefing after interviews/discussions helped to minimise some of these fieldwork problems (see also Chapter IX).

As already noted, logistical and political reasons prevented me from focusing in the area considered to have the highest concentration of bonded labourers. This research therefore was carried out with a purposively selected sample as opposed to a regionally or nationally representative one. Hence, the analysis and conclusion presented in this study may need to be interpreted carefully, and may not be generalised for the overall bonded labour situation in Nepal.

4.6.1 *Ethics in Studying Haliya/Kamaiya Children's Lives*

At the beginning of the field research, a lot of time was spent building working relationships to make sure that all the participants were fully informed of the

ethical code of conduct (Alderson 1995, cf. Pels 1999, Hammersley 2008). Smythe and Murray (2000: 313) identify some of the 'key ethical' issues' that need to be taken into consideration:

- 1) The purpose of the research and identity of the researcher,
- 2) The duration of the research participation and the nature of research procedures,
- 3) Any foreseeable risks or benefits arising from participation or consequences of non-participation,
- 4) Assurances that participation and withdrawal from the participation are free and voluntary

Once the participants were made aware of the research objectives and were willing to participate voluntarily, they were asked to give written consent (or oral assent in the case of illiterate ones).⁹² For children, the consent was attained in the presence of at least one family member or guardian because a) it would be difficult for them to understand fully the implications of research participation, b) the adult link could expedite trust, and c) adult support is important to start research with children (Morrow and Richards 1996, Masson 2000). These points may seem to be undermining the premises of a child-centred approach, but in reality they helped me to comply with ethical guidelines appropriate when studying vulnerable children (Abernethie 1998, Sandbaek 1999, Connolly 2003, Edmonds 2003, cf. Herrera 1999). After spending enough time in the Bayibab and Nayajib settlements, most participants, including adults, gave their

⁹² See Appendix 4b) and 4c) regarding the consent letters for the fieldwork participants.

consent/assent verbally because they did not feel comfortable with the idea of signature or even a thumbprint (Harcourt and Conroy 2005).

My participants were also informed of their anonymity and confidentiality as clearly as possible (HPMEC Principle 5, Smythe and Murray 2000, Bryman 2004). Even though it was challenging to avoid curious onlookers during the interviews (Baker 1998, Punch 2001, 2002), children were assured of the anonymity of their personal data (such as name, age, background etc.), and prior consent was obtained to use equipment like a recorder, camcorder or camera (HPMEC Principle 4, Connolly 2003: 12). It was also agreed that their privacy may be breached if, during the course study, they required medical or psychological assistance; one of the reasons for working closely with local NGOs was that if children required psychological counselling, they would be able to provide it (Smythe and Murray 2000: 314, Edmonds 2003: 11, Connolly 2003: 14-15, Schenk and Williamson 2005: 40).

In qualitative research, there is always the potential for harm when children express uncomfortable or emotional feelings during interviews or discussions (Brown et al. 2004, Robson 2002, Hammersley 2008). Sometimes I had to write 'scratch' notes to include participants' moods and facial expressions, but, as far as I could judge, my participants did not require special personal support (Bryman 2004: 308). I think that spending enough time in the field and recruiting experienced local assistants helped participants to tell the stories of their daily lives, including their personal health and wellbeing, without too much anxiety (Christensen and Prout 2002).

It is argued that 'appropriate truth can only emerge within the context of fieldwork pursued with integrity, and this requires an inner as well as outer honesty' (Wax 1992: 70, see also Williamson et al. 2005, Munro et al. 2005, Schenk and Williamson 2005). I was engaged in regular debriefing sessions with participants even for small issues (e.g. scolding by parents versus employers) so that a trust-based study could continue. During the course of field research, therefore, I did not see any need for deception or a partial disclosure of information (Herrera 1999, Haggerty 2004). However, the fieldwork taking place over an extended period and dealing with personal matters led some of the children to attach a high value to their relationship with my assistants and me. Group discussions or debriefing is often considered as a way to 'think carefully about the most appropriate way to bring the relationship to a conclusion at the end of the research' (ibid.), but practically, it was difficult to deal with because children refused to believe that we might not come back after the field study was over. We had, at least, to promise that we would visit them whenever possible. After preparing the first draft chapters of my thesis, I once again went to Bayibab and Nayajib settlements to say a 'proper' thank to my participants, and I still noticed that many of them, especially village chiefs, were expecting me to bring certain benefits to them (see Chapter IX for more details).

The 'issues of ownership, authorship, representation and authority' are often difficult to determine in an extended fieldwork based research like this (Mattingly 2005: 449). In my study, if participants wanted to retain certain parts of the fieldwork data, including drawings and pictures, I was willing to return

them and to accept 'the joint ownership of the data' (Gabhainn and Sixsmith 2005: 257). Except for individual photographs, however, children did not want to keep anything, and I became fully responsible for keeping materials safely and using them appropriately. As for the textual data, debriefing helped to 'clarify what the participants intended to say' as well as to 'interpret the underlying, implicit meanings behind what they say' (Smythe and Murray 2000: 324).

Finally, a three-member local ethics advisory team, made up of a researcher, NGO worker, and a local government official, was formed at the beginning of the field research. It allowed me to formulate an ethics checklist according to local requirements (i.e. what is appropriate to ask and how to ask), and also to discuss and make amendments to any issues arising in the course of fieldwork. However, a careful attention given to the above-mentioned ethics code of conduct was sufficient, and the local advisory team did not have to help me sort out any major challenges during course of the field study.

4.6.2 Reliability and Validity of Fieldwork-based Research

At least since the 1990s, the rapid increase in qualitative writings also brought about the criticism of those social researchers, who were less appealed by the so-called scientific paradigm (or the positivist approach). Critics argued that if the world is not viewed as consisting of observable and measurable facts, then, the qualitative study would fail to ensure reliability and validity of its findings derived from the social settings (Bernard 2000, Patton 2002, Yin 2003, Bryman 2004, Lee and Fielding 2009). While it is beyond the scope of the study to include

pros and cons of this debate, social scientists do outline a number of techniques that would help increase 'trustworthiness' of the fieldwork-based studies, which is sometimes seen as an equivalent of reliability and validity (Mays and Pope 1995, Long and Johnson 2000, Morse et al. 2002, Moret et al. 2007). Here, the term reliability often considered as a measure by which the researcher (and the research instruments) is neutral to the extent that the findings remain consistent if another research was to be carried out in the similar environment. Likewise, validity has sometimes been split into internal and external in order to emphasise credibility and transferability of the research. In other words, the internal validity seeks to ensure whether the research participants (and readers) judge the study findings are sufficiently credible or believable, the external validity implies whether or not the current research is transferable in other contexts or environments (Bernard 2000, Bryman 2004, Guest et al. 2006, Flick 2009). Although there are some differences in their emphasis of reliability and validity of the qualitative research, social researchers generally agree that there should be

- Specific strategies to be used to attain trustworthiness such as
- negative cases, peer debriefing, prolonged engagement and
- persistent observation, audit trails and member checks. Also
- important were characteristics of the investigator, who must be
- responsive and adaptable to changing circumstances, holistic,
- having processional immediacy, sensitivity, and ability for
- clarification and summarization (Morse et al. 2002: 5).

Accordingly, I took a number of steps to enhance the validity of my research.

Firstly, alongside interview transcripts, I compared the notes that I had taken from the start of the fieldwork to see whether there are data divergences from my initial expectations. Secondly, I also sought to see whether my fieldwork data converges with other sources of data (e.g. available literature on bonded child labour and my own previous research) by way of data triangulations and comparisons. Thirdly, as one of the key aims of my research is to present a detailed account of *haliya/kamaiya* children's everyday world of work from their own perspectives, I made extensive use of quotations of interview transcripts, excerpts from the fieldwork diary, and of other notes derived from drawings, pictures, and video clips – all of which were transcribed and typed in order to code and analyse together. Fourthly, as noted elsewhere, my use of four research assistants throughout my fieldwork also facilitated multiple checks and verifications of various sources data as well as stages of data collection and analysis (Flick 2009). Finally, where I have talked about fieldwork debriefing, it also implies that I was involved in what social researchers call the 'member check' (i.e. I met many of my participants at the end of the fieldwork and discussed with them the accuracy, or lack thereof, of my analysis of their perspectives). I also discussed, as much as possible, the soundness of my analysis with my research assistants as well as local researchers, village chiefs, and some parents.

In order to further ensure the reliability of my fieldwork data, I took measures such as multiple listening and viewing of digitally recorded interviews, video clips, and reviewing of my fieldwork notes. In this process of increasing reliability, I also held discussions with my four research assistants, and a number of my colleagues who were also busy conducting research in the similar areas as

me. However, some researchers (e.g. Hammersley and Atkinson 1995, Patton 2002) have also noted that the insistence on a high rate of reliability may create a systematic bias at work in data (i.e. when there is agreement between multiple researchers and/or across different forms of data collected through various research techniques). That is because social settings are fluid, and research participants' perspectives may fluctuate according to their day-to-day personal, sociocultural and economic circumstances (Mays et al. 2006). For this reason, the argument goes, even if research participants give different accounts of their lives at various stages of fieldwork, they should be presented together to enhance the research problem. While doing so may offer the consistency (and hence reliability) somewhat lower than expected, it could potentially lead to higher validity to the research than if the perspectives are put separately (e.g. see Long and Johnson 2000, Morse et al. 2002, Moret et al. 2007). In my fieldwork data, however, I noticed that many aspects of *haliya/kamaiya* labourers were relatively similar, and moreover, I have tried to include any noticeable differences between the two groups (e.g. Chapter VIII). In such a way of exploring the lives of so far under researched *haliya* and *kamaiya* child labourers better allows the reader to judge the reliability and validity of the entire research.

4.7 Chapter Summary

This chapter has discussed the research design and the choice of methods that I used in my study to explore *haliya/kamaiya* children's lives in detail. Before embarking on this field study, I carried out a pilot study to select fieldwork

locations, participants, and to try out different research techniques, including interview/discussion questions. This process took a considerable amount of time because my participants were not easily accessible because of the illegal and socially stigmatised nature of *haliya/kamaiya* work. However, I was successful in conducting fieldwork in Bayibab and Nayajib settlements of Morang and Bardiya districts, respectively. To enrich the fieldwork data, I followed children's daily lives during 2006-2008 for more than a year in total, and also interviewed their parents, employers, and NGOs personnel. Remaining alert to ethical issues throughout the field research, I applied visual research techniques and made observations where it was difficult to engage in conversations or interviews. As for the data analysis, I relied on both manual and software techniques to manage the large volume of fieldwork data, and followed multiple methods to enhance the reliability and validity of my findings.

CHAPTER V

Haliya/Kamaiya Children's Responses to Change:

Exploring the Differences Between Home and Away

5.0 Introduction

After the Government of Nepal banned the *kamaiya* system in 2000, as literature review showed, bonded child workers' lives sharply differ between home and away (i.e. when they are at their parental home versus that of their employers'). That is because the traditional bonded labour contract in which the entire family used to work as one unit appears to have been effectively broken.⁹³ Today, for instance, the daily life-worlds of Musahar/Tharu children changes abruptly as soon as they individually enter their employers' houses, which is why it is crucial

⁹³ In trying to understand the processes involved in the bonded labour agreement that takes place every Maghi (mid-January), I observed during January-February 2007 that the bargain for *haliya/kamaiya* contract is no longer the open affair it used be in the pre-2000 period. Fearing potential social exposure and legal actions, parents and employers make use of various social links to send children to work. During the Maghi festival, my local research assistants were able to notice a number of potential employers coming to the settlements like the Nayajib to enjoy the feast for weeks and also hoping to find workers. However, I was not able to approach these people because they would not talk to a stranger about the real purpose of their visit. This is why, instead of meeting them when they came to the Nayajib settlement, I sought to meet employers in their homes or work places in order to seek their opinions on bonded labour. However, in the Bayibab settlement, where the *haliya* contract can take place at any time of the year, employers did not appreciate my attempts to observe children's living and working conditions, and *kamaiya* child employers completely restricted my access. Thus, I had to be in the children's respective settlements in all three phases of my field research, and interact with them whenever they were with their families.

to devote this chapter discussing these children's responses to the post-2000 *haliya/kamaiya* labour agreement as adaptation. In this first data chapter, as background to the current split between 'home' and 'away,' I also examine the perspectives of a number of my participants who have worked during both the pre-and post-2000 periods. This also helps the reader to understand how the bonded labour lifecycle has evolved at least since the 1960s.

5.1 Pre-and Post-2000 *Haliya/Kamaiya* Work

My field data supports the conclusions of other reports that argue that the eradication of malaria and subsequent migration to the Tarai region from the hills and mountains were important factors in making people bonded labourers (Regmi 1978, Krauskopf 1989, Posel 1995, Rankin 1999, Shrestha 2001, Chhetri 2005, Lamichhane 2005). In the early 1950s, the Nepali government sought support from the World Health Organisation to eradicate malaria in the country. Soon the Tarai region became the rice bowl of Nepal, rapidly upgrading the land value. By the mid-1960s, about two million *pahadiya* migrated, and by 1971, cultivated land in the Tarai was 41 percent, compared to 9 percent in the hills and 2 percent in the mountains (Karki 2002, Upreti 2004). In this state-sponsored process of rapid transformation of subtropical forest into farmland, along with mass resettlement, the sociocultural and ecological settings of Nepal's southern belt was also drastically changed (Rankin 1999, Kunwar 2000, Lowe et al. 2001). Within the first few years of arrival, the 'new' migrants, who had strong social and political clout with the central government, encouraged local people like Musahar/Tharu to clear the forest, and later registered the land in their own

names effectively disenfranchising the indigenous communities (Robertson and Mishra 1997, Edwin et al. 2005). Once there was no more forest to clear, poor families could not find any alternatives to surrendering to *jamindar/kisan* to work as *nokar/nokarni* (cf. Guneratne 1996), and eventually were brought into generational *haliya/kamaiya* systems (INSEC 1992, 1996, Lowe et al. 2001, Giri 2004, 2009a).

Following national and international criticisms concerning the problems of landlessness and deforestation, a 'revolutionary' land reform policy⁹⁴ was launched in 1964, which first and foremost attempted to ban *jamindar/patwari* system by fixing a ceiling on land ownership at 7.45 hectares per head (Lamichhane 2005: 88). Although this policy was relatively successful in distributing land to a considerable number of *sukumbasi* (landless) families, it created many 'small or medium' size landowners known as *kisan* when *jamindar/patwari* individuals cleverly transferred/divided their land in the names of their families or relatives (Robertson and Mishra 1997, Shrestha 2001, cf. Lieten and Breman 2002, Marks 2003). During my interview sessions, Musahar/Tharu families appeared to be ashamed of themselves that they had been tricked by this ploy, but, at the same time, many families were angry with those who made them lose their land and properties in the 1950s and beyond (Guneratne 1996). Since nobody came to their rescue, they were forced to spend

⁹⁴ Even after King Mahendra's death in 1972, the Act was widely publicised, including in song. When I started attending school in the mid-1980s, I heard people singing *bhumi sudhara lyaeko kasle, Sri Panch Mahendra rajale* [Who brought the land reform! His Majesty King Mahendra!] (See Grandin 2005 for an analysis of how music was used by the King-led governments from 1960-1990 to establish Nepali national identity).

their lives in the *bukura/kothar* and work as generational bonded labourers. Over the years, even when everyone worked, their debt, taken for family expenses, accumulated at such a pace that it could not be paid by working elsewhere (Rankin 1999, Lowe et al. 2001).

However, after the government intervention in 2000, most families have to struggle to make ends meet by mobilising the only resource they have, that of the unskilled labour of themselves and their children. Apart from a few, who are still working as a *kamaiya*, the adults are doing *majduri* (unskilled labour), but it is difficult to support large families with seasonal work (see also Kvalbein 2007). As older members fear exposure to the authorities or to advocacy groups, children are taking on *kamaiya* work with the hope of getting *adhiya* land and education on top of food, clothes and some in-kind remuneration. However, it was clear from my discussions that many families believe that their lives have not improved that even after being 'freed' by the Government of Nepal. Like Villanger (2006) and Kvalbein (2007), my interviews with former *kamaiya* men also indicated that if they did not owe *saunki* (debt) and had generally good relationship with their *kisan*, they would have preferred to continue doing *kamaiya* work than the manual work they are struggling to find today.⁹⁵

⁹⁵ Advocacy groups report that the annual *kamaiya* contract begins during the *Maghi* festival that falls in the month of *Magh* (January-February). During this month, the old *kamaiya* work agreement is terminated and it is either renewed or new ones are established by the highest 'wage' bidder, who is willing to pay any outstanding debt a *kamaiya* may have. It is said that a person wanting to be a *kamaiya* wonders around the village wearing a turban, carrying a stick and a cloth sack on his shoulder to identify himself as a potential candidate. With this information in mind, I travelled to Bardiya district in January 2007 to gather first-hand knowledge of how children become *kamaiya* labourers. Prior to reaching the field site, I had to take into account the

As for Musahar families of Bayibab settlement, they also no longer live in the *bukura/kothar*, but many adults continue to work as a seasonal *haliya*. Although the recent establishment of brick-kilns is offering some work during the off-

difficulty of encountering open bargaining between an employer and a potential *kamaiya* due to the 2000 government decree which made the use of any person as a bonded labourer illegal. It was equally important to remember that the decade long political insurgency, which especially targeted the 'bourgeois' class, has seriously constrained people's ability to engage in open bargaining. Only after the 2006 'peace' agreement, have the local leaders and 'landlords' begun to return to their homes after receiving promises from the rebels that they will relinquish all illegally acquired properties to their rightful owners. These obstacles have hindered anyone seeking to be a *kamaiya* in the 'traditional way' as described earlier. Nor are there any *kisan* men involved in searching for *kamaiya* workers. My field observations suggested that presently there are at least three ways to establish a labour contract between employers and employees. Firstly, both parties use the past (or current) relationship as a tool to upgrade/renew *kamaiya* agreement. This seems to be the easiest and most common way for both parents and employers to form their ties because those children, who are already working as *kamaiya*, would help find other local children. Secondly, both parties may apply to intermediaries such as village chiefs (or sometimes local NGO workers), who can negotiate a deal with or without the children knowing about it. As this sort of agreement would be accepted by the community, and hence less frightening in legal terms, both parents and employers also preferred contracting a *kamaiya* contract through an intermediary. Finally, occasionally employers venture into the villages with a completely different ostensible purpose (e.g. to purchase handicrafts) and yet make deals with parents to take children as *kamaiya* labourers. However, since (former) *kamaiya* families live in crowded settlements, any intruders are likely to be scrutinised at the 'village gate.' As such, this way of finding *kamaiya* appears to be much less attractive than the ones previously mentioned. Whatever the contractual method, I could only vaguely identify the intermediaries or employers wondering around the settlement if my research assistants were not with me. As locals, they would be able to pinpoint outsiders more easily than me. As for *haliya* child workers in Morang, no particular way of making contracts has been described in the literature. The Nayajib settlement is isolated from other villages, but Musahar families in Bayibab live at the periphery of their *kisan's* land, and many work seasonally under a *haliya* contract. Both parents and employers seem to be active in forging a verbal agreement (though my observations also suggest that children are quite forward in finding an employer to become a *haliya*). They also travel to brick-kilns in the surrounding villages to make temporary work arrangements during the off-farm season.

farming seasons, they have to struggle harder than in pre-2000 era. As such, their construction of bonded labour is often similar to the ones expressed by *kamaiya* families.

To summarise: a number of factors compelled Musahar/Tharu families into generational bonded labour: the eradication of malaria, mass resettlement, *bhumisudhar*, illiteracy, the improvement of the local security situation, and their own personal/cultural habits. My own field data, as well as available literature, suggests that this process began in the 1950s, when everyone in the family started to live in the *bukura/kothar* (e.g. Robertson and Mishra 1997, Rankin 1999, Lowe et al. 2001, Lamichhane 2005).

We did all kinds of work as a *kamaiya*... I did mostly ploughing/farm work, and my wife (as a *bukrahi*) carried out kitchen work, including fixing the bed for, and giving massages to, our *malik/maliknia*... My children worked as *barganiya/organiya* (domestic workers), and *chhegar/gai-bhaisbar* (shepherds). They also worked in the farm (*kamaiya*) from about 13-14 years of age... We had to work night and day during the planting and harvesting periods or in times of festivals and family visits (Sitae).

We had some land, but my father died when I was a small boy and we lost our land when we tried to register it. So, I had to work as a *haliya* from a young age... At the beginning, I only helped the other adult *haliya* my *malik* had... As soon as I was considered fit for ploughing, then, I replaced him... I worked for 20-25 years, and my family also helped whenever my *malik* needed (Gulte).

However, this is not to claim that all landless and/or indebted Musahar/Tharu families lived in a *bukura/kothar* (see Gurung 1992, Dhakal 2007). I did meet some families who had worked for their *kisan* while remaining in their own huts. This had allowed them, especially their children, more freedom because they worked a few hours less, but they were also less rewarded in terms of food and clothes.

I used to go to my *malik's* house at 6 am and clean the animal sheds or do whatever I was asked, including ploughing the fields... After having about 2 hours break for food, I'd go again to do similar things until 6 pm... Normally, I went alone, but my wife and children also joined me when my *malik* needed extra people to work (Jage).

Although this working agreement was less restrictive, it made it difficult to feed large families. If these families had to bear any additional costs (like marriage/death rituals or medical expenses), they were likely to be indebted, and hence they would have to completely depend to their *kisan*.

As far as I can recall, we neither had a house nor farm work nor animals to graze... my father used to tell me that there was no other work available in the village... Even if it was, it'd be very difficult to feed our family (with the earnings of my parents). My father often said, 'if our *kisan* would allow us to live in the *bukura/kothar*, we wouldn't have to worry about the food and shelter (Bidhe).

It must be emphasised that even if Musahar/Tharu families were indebted and lived in *bukura/kothar*, they had to renew their 'contract' annually, and in many cases a *kisan* willing to 'pay' their debt invited them to work for him (Edwin et al. 2005, cf. Gurung 1992). Among my adult participants, the longest time anyone worked for a single *kisan* was about 10 years. For many, the disputes over payment and impending debts forced them to search for a new *kisan*. For instance, one *kamaiya* man, who moved from one *kisan* to another until the *kamaiya* system itself was abolished in 2000, recalled his life history.

My first *malik* was a Tharu *kisan*, who used to give 7-bora *dhan* (about 3 quintals of unhusked rice per year). I wasn't happy because my wife also worked for the same payment... I moved to a new *kisan* to work on *trimuli* basis (1/3 of the total output as wages), which was a good income to support my family. Some years later, my *malik* said his land was getting smaller (he had given some away to his sons) and that I should find a new *kisan*. A new *malik* from the next village persuaded me to work for him... When I went to his house, we had to work so hard that my wife didn't even have time to breastfeed our children... I only received 7 quintals *dhan*, but when I had to hire another worker, as I was too ill to work, I had to give him half of that amount... My children often got me in trouble by collecting plants instead of grass and fodder... I had to pay fines of NRs.400-500. How could I pay such amounts? ... At one point, I had *saunki* (debts) of about NRs.3500. I was unable to pay it... So, I had to find a new master, who would pay it and also hire me to work. My new *malik* was kinder than the ones I had before in that he even bought household stuff for my family... After some years of working, however, he also started to complain that I didn't do this and that. So, I again changed my *malik*... This

kind of problem went on until we're told to leave our *bukura/kothar* (after the government decree in 2000)... But around this time, I was getting better payments of 7-8 quintals of *dhan*, and my children were old enough to carry on *kamaiya* work (Jage).

Since children lived with their parents, it made it easier for them to perform age or gender appropriate domestic and agricultural tasks. When their parents left the *bukura/kothar* after 2000, however, *haliya/kamaiya* contracts took on a different direction in which children also had to get involved in the tasks formerly carried out by adults (cf. Kvalbein 2007).

My parents worked in agriculture. I used to look after domestic animals (i.e. *chhegar/gai-bhaisbar*). My other siblings carried out household work as well as farm work... As we grew older, we gradually took over many of the tasks performed by our parents, who could no longer do the heavy work (Lalu A).

My field data suggests that the vast majority of *kamaiya* workers are now children. Although rarely, a few *kamaiya* men were still working for the *kisan*; most adult males, especially from the Nayajib settlement, have moved to the cities or to India for unskilled jobs. In one of our conversations, a 32-year-old ex-*kamaiya* woman revealed that three of her children (out of six) are working for three different *kisan*, and most importantly, her husband is still 'a daytime *kamaiya*' in the village nearby. Ramu was quick to defend that 'it's not only my husband, other (adult) people also work because they don't get a job elsewhere; only they are afraid or ashamed to reveal it.' She also suggested that these days

working as a *kamaiya* has become socially stigmatising for adults, but surprisingly the same understanding does not seem to apply to children's bonded work.

Whether they are doing *majduri* or working as a *haliya/kamaiya*, many Musahar/Tharu parents continue to approach their *kisan* to ask for loan or forge an *adhiya* agreement by promising to send their children to work for him. At the same time, the *kisan* families have found it difficult to trust them, especially when they abruptly left the *bukura/kothar* in 2000. As long as they are unsure of a pay back, they appear to be unwilling to offer any loans or *adhiya* land. According to a former *haliya* employer,

These days most *haliya* workers have become *chhattu* (cheaters)... They borrow money and foodstuffs, but don't want to work to pay it back... They want more wages for less work, and if they don't find what they want, they change their *malik* or remain absent without notice... We can't trust them like in the past (Maratis).

This issue of trust is still very important in bonded labour contracts because no one, except the *kisan*, gives them loans or other support in the event of an emergency. Although *haliya* children in Bayibab settlement are able to work for part of the year in brick-factories, the cash income is insufficient to buy daily foodstuffs for the family, let alone saving for other purposes. Hence, children working as *haliya/kamaiya* labourers have remained an important survival strategy for both *kisan* and Musahar/Tharu parents, which I will now discuss in detail.

5.3 Post-2000 Musahar/Tharu Children's Lives

After the government ban on *kamaiya* practice in 2000, various advocacy groups, and the government, proposed rehabilitation programmes (Gurung 2004). This meant that families would no longer stay with their employers, but move to their own temporary shelters and the two to five *kattha* land provided by the government. In order to make them self-reliant, according to the rehabilitation plans, the adults were to undergo training in various skills, including adult literacy classes, and children were to attend compulsory primary education. In practice, however, these well-intended programmes did not materialise in a way that enabled Musahar/Tharu families to meet their daily needs easily.⁹⁶ For many children, this meant that they could not enter full-time formal education. When parents worked elsewhere to earn enough for food, especially children had to handle the household tasks from an early age. As soon as parents considered them fit to live and work elsewhere to bring in family income, then, they would get into bonded labour contract or unskilled work.

⁹⁶ In its 2009 country report, the United Nations High Commissioner for Human Rights argues that 'marginalised and disadvantaged groups, such as former *Kamaiyas* (bonded labours), *Haliyas* (tillers)...continue to be the most affected by inequalities in access to land, food, health and justice' (OHCHR Nepal 2009: 5, original emphasis). Likewise, another human rights report on Nepal states that as of 2008 the 'implementation of the law was slow, as the government did not create the necessary regulatory or administrative structures to enforce its provisions (US Department of State 2009: online).

5.3.1 Stage I: Children's Work Responsibilities at Home

During my stay in the field, it was easy to notice that Musahar/Tharu families owned hardly any land or property, and that their children had few activities to do at home.

We're six members at home to work on five *kattha* land, four goats, and a few chickens. My mother does the cooking; we (three sisters) collect grass and firewood. My brother herds the goats. My father is free to go anywhere (to search for work to earn family income)... In fact, we don't have work even for two persons (Mayu).

My family lives in the next village. Here, I looked after the five *kattha* land given by the government. As you can see, we have a house as well, but no animals as none of us actually stay here at nights... Anyway, I am easily managing the land alone... it's nothing compared to what we (me and my sisters) used to do at the house of our parents' *kisan* (Lalu A).

We've got no other animals except a few chickens. As they are free to feed by themselves, we don't have anything to look after... We have no land so we basically have nothing to do... (Jibe/Sume).

Although small children appeared to be enrolled at the school, their attendance level drops rapidly around the age of 10 (Chapter VI discusses this in detail). I was not surprised, therefore, to notice parents desperately trying to find a *kisan* through various indirect channels to ease their financial problems.

5.3.2 Stage II: Children's Life as Haliya/Kamaiya Workers

Haliya/kamaiya children forged an annual contract on the basis of their *kisan* allowing them to attend school. However, many of the *kisan* do not keep their promises, and even those few who do, give so many tasks that children have hardly any time to study. From the day they become bonded labourers, Musahar/Tharu children's life-worlds dramatically change. The following comments illustrate their daily situation away from home.

I was engaged in cutting grass, washing dishes and clothes. In the morning, I cleaned the house and prepared the meals... After having my morning meal, I washed the utensils... I went to cut grass, and washed heaps of clothes after feeding grass/water to animals... In the evening, I had to help someone else collect grass in a *doko* and then I cooked dinner... I found it too much because I was brought here to do only the kitchen work (Samju).

I woke up at 5 am to clean the animal shed, milk the buffalo and to give grass/fodder and water to the cows and buffaloes. Then, I went to collect grass and fodder. I also took the bullocks to the field for ploughing and in the afternoon, I've to take all animals to graze... If there was no planting work in the field, then, I had to collect firewood or help in the construction of animal sheds, *tangga* etc... At the beginning of our contract, I was told that I'd just take care of the buffaloes and look after the children during their school holidays. But, when I started work, they made me do everything, from planting to harvesting. Although I entered home at 6 or 7

pm for food, I normally went to bed after 10 pm because I had to help with household work and also prepare my routine for the next day... (Thage).

During the farming period, I spend part of the day ploughing the field, but sometimes, I also have to do other things like digging and weeding... If there is less work in the farm, I collect grass/fodder for the domestic animals... These days, there are brick-kilns, providing some work during off-farming periods... (Bidhe).

In our neighbourhood, older children combine seasonal *haliya* and brick-kilns work... But the younger ones like us work for *kisan* because we can't carry bricks for the whole day (Jibe/Sume).

The above quotations and the pictures below (see Figure 2-8) make it clear that once children enter *kisan's* house, their daily world abruptly changes because they have to follow the command of their *malik/maliknia* at all times. Another major change for Musahar/Tharu children is that they often have to go far away from their families, and are unable to work alongside parents as in the pre-2000 period. They also have to cope with a transition from doing relatively few hours of work at home to as many as 15 hours with their *kisan*.⁹⁷ The working hours, conditions, and *kisan's* behaviours towards them appear to be some of the key factors that determine their positive or negative construction of *haliya/kamaiya* practices. These aspects are further elaborated in the following chapters.

⁹⁷ As stated in Chapter I, I myself worked 15 hours a day, especially during the farming and harvesting seasons, but my situation was different because I lived with my own family and was able to attend school. Therefore, it may not be a suitable comparison.

Figure 2: My Working Life by Minu (a barely literate girl)



Figure 3: My Working Life by Manu (a barely literate girl)



Figure 4: My Working Life by Binu (a barely literate girl)



Figure 5: My Working Life by Bhagu (a barely literate girl)

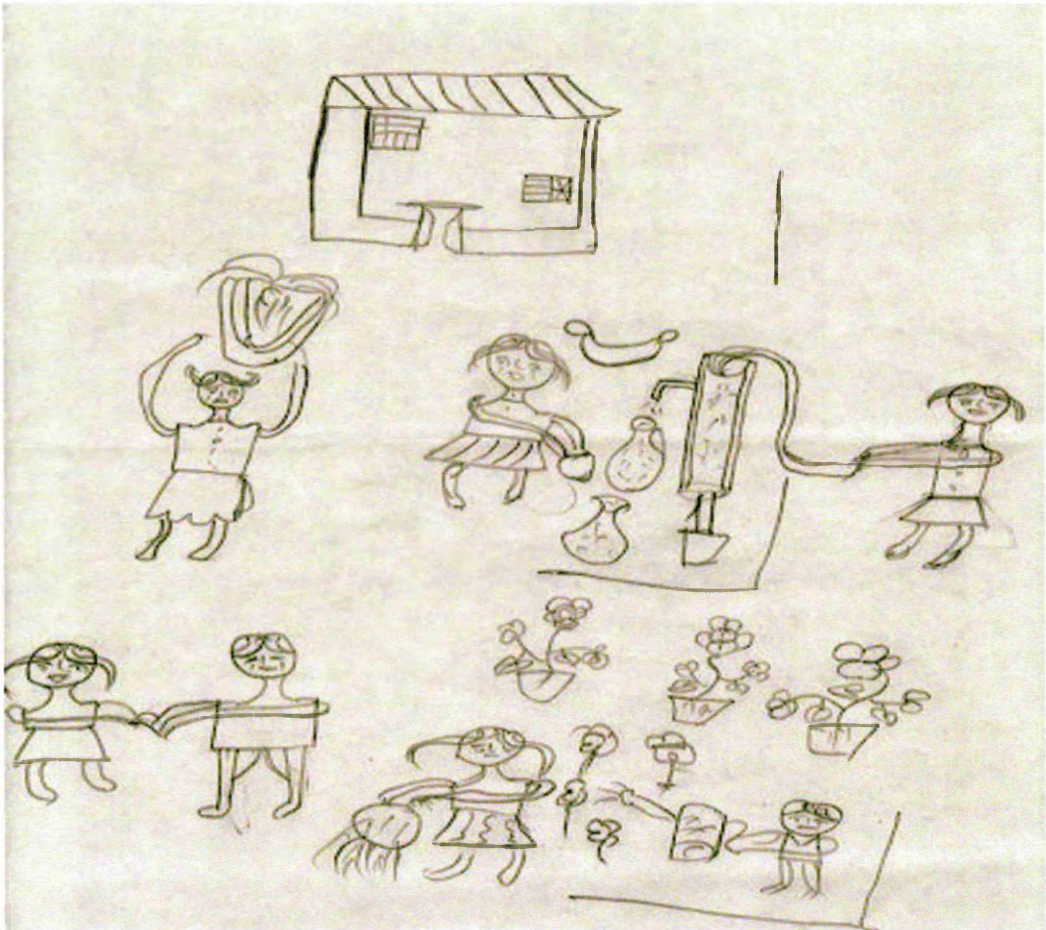


Figure 6: A Girl's Work in a Day by Debu (a 4th grade girl)



Figure 7: A Boy's Work in a Day by Chame (a 5th grade boy)

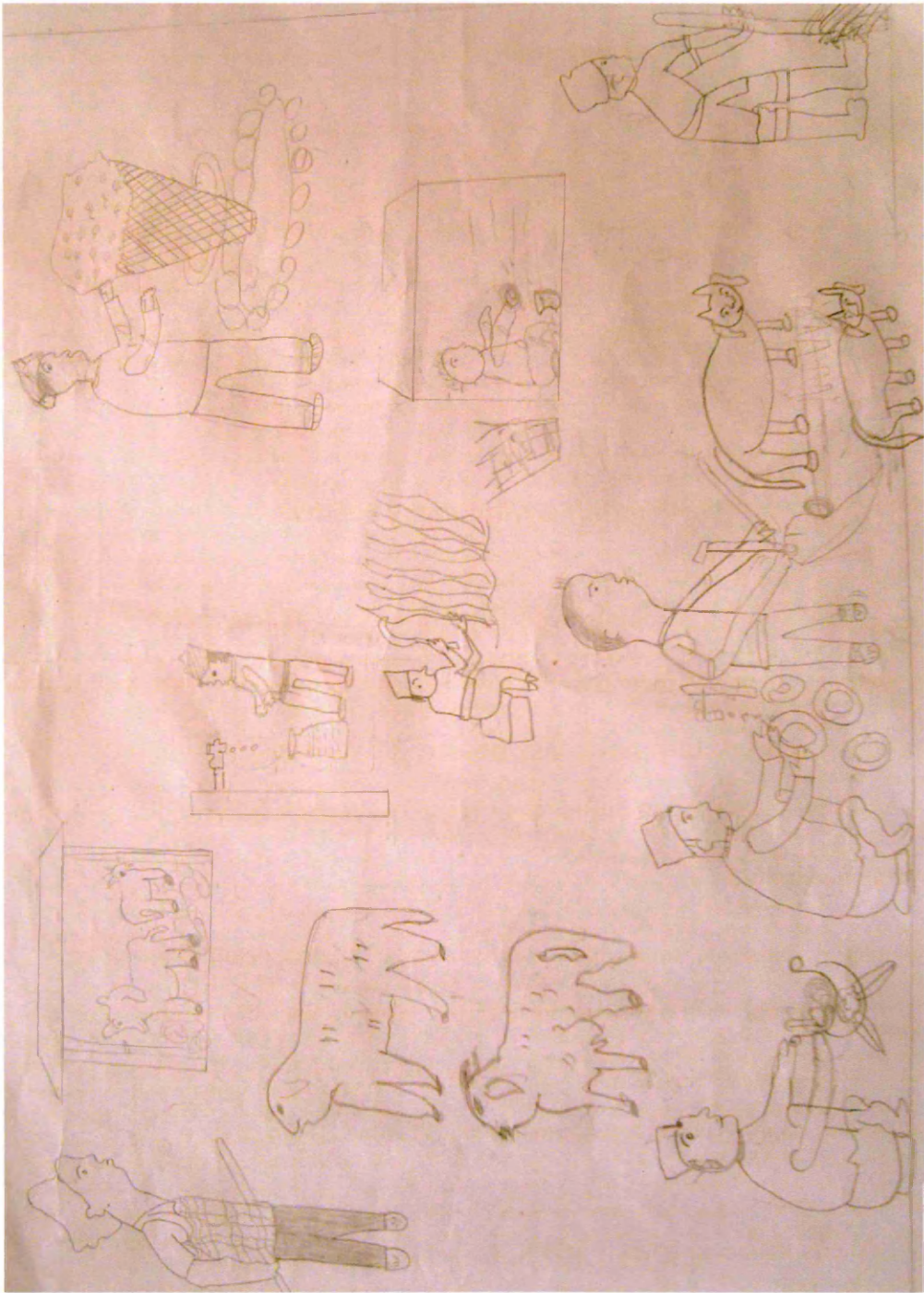


Figure 8: Children's Life Outside the Bonded Contract by the Author



5.3.3 Gendered Work in Haliya/Kamaiya Practices.

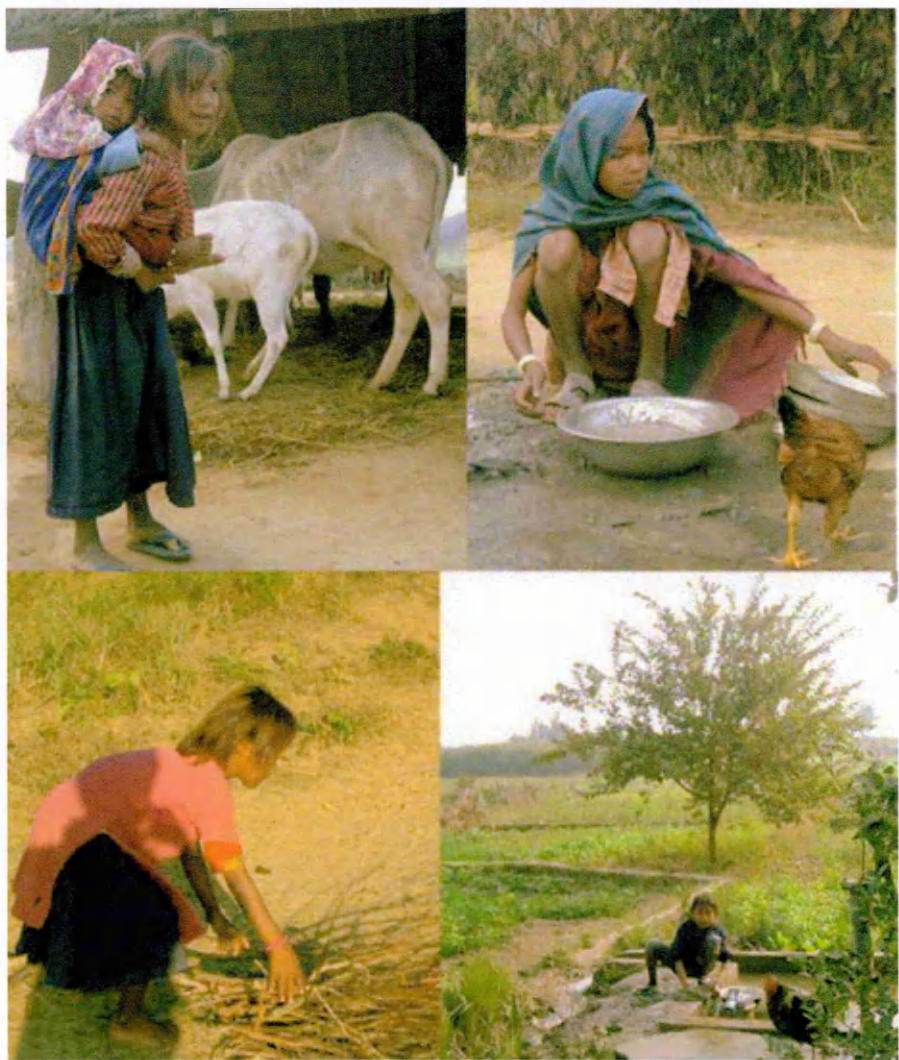
During interviews girls complained of multiple forms of discrimination; if there was a chance to study, their parents gave priority to their brothers; they had to do a lot more work than boys; they became *haliya/kamaiya* labourers earlier; they were also married off earlier than boys. The following examples depict the general viewpoints.

My parents say, 'sons will be a *sahara* (carer) till our death... daughters don't come back after getting married.' This is why my brothers get priority in attending school while me and my sisters have to work at home, and we also become *kamaiya* much earlier... (Kalpu A).

There are many girls working as *kamaiya* because parents want to educate their sons. For them, a girl's education benefits only the husband's family so we're send to work (Shobu, a 14 year old *kamaiya* girl).

We don't get the same chance to study as our brothers. Our parents 'know' we don't live with them in the long-term (i.e. we move with our husbands) while their sons will take care of them. As such, we're discriminated against in terms of study and even work (i.e. sons hardly do anything at home). Also, when *kisan* comes to find a worker, parents do not negotiate much about the income or a chance for us to study like our brothers. They just send us off, like trading an animal (Mayu).

Figure 9: Same Work for Girls Either Home or Away by the Author



Comparatively speaking, hiring a *kamaiya* boy, especially as a ploughman, would be advantageous for *kisan*, but they also seemed to prefer girl workers. According to Mayu, 'it is because girls do a lot more work than boys, both at home and in the farm; they are easier to control and accept low payment as well' – a claim that is widely reported by child labour researchers (e.g. Black 1997). The following quotations, which discuss the gendered tasks in two generations, are further illustrative examples of this.

Boys generally do outside activities (i.e. not kitchen work or babysitting) like agriculture, especially ploughing, but girls have to do all kinds of tasks, be it in the kitchen, babysitting, looking after animals or farm work. The only task girls don't do is ploughing (as it is a socially unacceptable job for females). This is why *kisan* come to our villages looking for girl workers. We are easier to control and do a lot more work than boys (Basu).

We're two women who worked as *kamlariya*. While she looked after animals, I carried out kitchen work, preparing meals/snacks four times a day for more than a dozen people. It was hard work because everything had to be prepared by hand. I had to use *dhiki/jato* to make rice/flour because there were no mills. The plantation and harvesting period would be the hardest time because I had to cook snacks/meals for so many people and also work in the field. Those were very hard years, but we didn't have to struggle for food and clothes like today... (Manu).

When I tried to include male perspectives on gender discrimination, one of the key child informants, Shive, expressed the following opinion.

Our parents still think in traditional ways... that is, by default, daughters go with their husbands, and won't contribute to the family in the long-term. This is why girls have less chance to attend school... even if they do, parents don't give them any time to study. They have to prepare meals, clean dishes/clothes. They also have to look after domestic animals, including collecting grass/fodder and firewood. Boys also work, but not as much as girls, especially not in the kitchen... Employers also come looking for girls because they know that girls will do a lot more work than boys... Our parents often don't bargain for schooling so the situation of girls in my (Nayajib) village has not improved a lot (Shive).

5.4 Chapter Summary

This chapter explored how working children perceive the differences in their lives between living at home and away. In the pre-2000 era, Musahar/Tharu children would initially look after their own siblings as well as *malik/maliknia's* children, but as they grew older, they would take increasingly heavier and traditionally gendered activities. When families moved out of *bukura/kothar* and started live independent lives, as my participants informed me, children neither had much work to do at home nor would their family poverty allow them to attend formal school. Parents started to send them to a *kisan* at about the age of nine. Once children started to work away from home their daily life and perceptions of bonded labour changed drastically. Their responses to such changes are further discussed in the next chapters.

CHAPTER VI

“The Promise of Education”: Haliya/Kamaiya Children’s Schooling Aspirations

6.0 Introduction

In the 1990s, the Nepali government aimed to promote mass literacy by joining the UN Education For All programme, but in terms of its adult literacy rate, the country ranks just above Pakistan even within the South Asian region. Although the mass literacy campaigns were already talked about in the 1960s, education still remains a luxury good for millions of Nepali people, particularly those residing in remote villages (Subedi 1999, Ahearn 2001, Valentin 2001, Stash and Hannum 2001, Dixit 2002, Niraula 2007, Robinson-Pant 2009).⁹⁸ Since the early 1990s, the successive multiparty governments have been stressing access to a standardised education for the entire population. In the early 2009, the government once more announced a countrywide ‘mass literacy’ campaign, and it also claimed to have prepared a major School Sector Reform Plan 2009-2015 whose outcome, of course, remains to be seen.⁹⁹ For the moment, however, even

⁹⁸ According to a Save the Children report, ‘over 45 percent of the population is unemployed, half of whom are youth; only 41 percent of children ages 3-5 have access to early childhood development programmes; and approximately 84 percent of adolescents have dropped out of the formal education system’ (Save the Children cit. Giri 2009a: 94).

⁹⁹ In January 2009, newspapers in Nepal made headlines like ‘Govt launches literacy campaign; aims to achieve 100 pc literacy rate in 2 yrs’ – much earlier than the policy paper entitled ‘School Sector Reform Plan 2009-2015’ was to become public (Giri 2009a: 94). In June 2009, however,

if poor parents are genuinely interested in sending their children to school, everyone in the family has to contribute to daily living expenses and children thus need to combine work and education (Giri 2007a). If going to school becomes a part-time matter (i.e. if children are free from work), then, the motivation to continue school also does not become attractive, especially given the dire state of most schools in remote areas. In Bayibab and Nayajib settlements, many Musahar and Tharu children have eagerly joined *haliya/kamaiya* work with the hope of gaining to access formal education.

This chapter gives a detailed analysis of how the promise of education comes to play an instrumental role in forging bonded labour contracts between children/parents, and the *kisan*, though each party has their own particular understandings of its intrinsic values. It starts off by discussing the motives of *kisan* in offering (and parents accepting) education for their children. Then, the Musahar/Tharu children's schooling aspirations, and the realities of studying as well as working as *haliya/kamaiya* labourers, are discussed in detail.

the news headlines were on the pessimistic side in which journalists wrote 'Poor implementation, worse results' [for the much hyped literacy campaign] (ibid.). Surprisingly, the National Labour Force Survey report published in August 2009 claimed that the literacy rate has increased to 63 percent, which is considered to be 14 percent higher than one reported in a similar survey conducted a decade ago (Giri 2009a: 133, see Robinson-Pant 2009 for an in-depth analysis). By the end of October 2009, the Government of Nepal admitted that of the 4,782,313 students admitted in the primary education throughout the country, only 30 percent make it to the lower secondary school level, and the remaining 70 percent quit schooling owing to various reasons including failing in exams (Giri 2009a: 179). As it has been unable to provide quality education, it came up with a desperate idea of allowing students to continue upgrade the class/grade annually even if they failed their end of the year exams so that it could claim of rapidly improving the levels of education of its young population (ibid.).

6.1 “The Promise of Education” for *Kisan*

At the beginning of fieldwork, my assurances of anonymity and confidentiality failed to convince employers to talk to me about their motivations in promising education when hiring Musahar/Tharu children. One *kisan*, who spoke informally without any recorders or notebooks, argued that he had been ‘very’ generous to *haliya* families by providing income to the family while another said that *kisan* generally are helping the (child) *kamaiya* to get an education for a ‘better future’ (Field Notes 28/02/2007). In the third and final phase of the field study, I managed to interview a number of employers, whose comments on promising education to their workers went as follows:

Our *kamaiya* girl looks after my small children, and attends the school nearby ... Of course, she also helps us with household work, but it’s not equal to the time she spends studying... We promised her an education because we needed a domestic helper (Kishe).

They (*haliya/kamaiya*) carry out some household work in the mornings and evenings. During the day, they attend school. It’s beneficial for us to hire them on an annual basis (because we don’t have to worry about finding a worker)... But they’re even happier because we give them food/clothes, and education, which they don’t get from their parents (Babue).

When we meet their families to make the contract, they ask for many things like food/clothes and an education for their children, and (loan) money and *adhiya* land for themselves... But we find it cheaper and safer to promise them work and study... Letting them attend (public) school doesn’t cost us much (except

six working hours during the school days), and parents can't demand a lot if their children are studying... Also, advocacy groups don't blame us saying, 'you're using a child labourer...' So the promise of education helps (Mane).

The above interview extracts suggest that everyone gains in *haliya/kamaiya* agreement, which is partly true because parents receive a certain income, children obtain food and clothes along with the prospect of education, and *kisan* get their work done. As discussed shortly, even though children find the idea of studying very attractive, the promise of education seems to mostly benefit *kisan* and parents.

6.2 Value of Education to Musahar/Tharu Parents

In order to know what are *haliya/kamaiya* parents' own motivations in wanting to educate their children, I did not need to start with interview questions relating to education as many of them talked about it spontaneously. They have their own particular reasons to educate children and grandchildren. Firstly, they view education as a way to avoid the 'deceptions' they had previously suffered in which they lost their land and were forced to become *haliya/kamaiya* labourers. Secondly, education is seen as a way to challenge social stereotypes, such as those which claim that Musahar and Tharu communities have remained backward because of their life style (especially their drinking habits and elaborate cultural festivities). My field data suggests that these people are eager to imitate outsiders' customs and values. For instance, Tharu parents expected and encouraged their children to interact with visitors from other communities

or advocacy groups, especially those presenting themselves in ‘smart’ dress and using sophisticated language (i.e. Nepali mixed with English words). Thirdly, education potentially helps their children to find better work within or outside Nepal to earn a higher income than from *haliya/kamaiya* contracts. The following section further elaborates on each of these three reasons.

6.2.1 Preventing Deceptions

Life history interviews showed that Musahar/Tharu communities never had a lot of land, and that most of them used to survive on wages in exchange for labour (Lamichhane 2005). As noted earlier, when the Nepali government was able to eradicate malaria in the Tarai region in the 1950s, it encouraged mass migration, particularly from the hills, to enable people to start commercial farming by clearing the forest (Rankin 1999, Lowe et al. 2001, Chhetri 2005). Priority was given to state officials and especially to those individuals who were able to collect land revenue for the central government. In this process, many families from *dalit/janjati* groups (low caste/indigenous), including Musahar/Tharu people, who had no record of their property, lost the land they thought belonged to them, and eventually had to become *haliya/kamaiya* labourers (Robertson and Mishra 1997, Karki 2002, Edwin et al. 2005). The adult interviewees were angry with those who ‘took’ their land, but more than that, they also blamed themselves for being illiterate (i.e. not knowing what is going on in written documents). As the interview extracts below show, they reflected that their claim on their land could have been secured if they were able to deal with officials and *kisan* in terms of the paper work.

My parents cleared the forest, and believed that the land belonged to us, but educated people registered the land in their family's names without our knowledge. When we disagreed, they showed us official land certificates, and kicked us out... We cleared the forest again and the same thing happened... it kept on happening until there was no more forest to clear. We ended up becoming generational *haliya*... It's all due to our illiteracy (Bahe).

The clever (literate) people worked together with politicians and registered everything in their names. If we had some education, we'd still have received a piece of land by way of negotiation or court case. Instead, we became landless *kamaiya* (Tike).

In some cases if the local officials or *jamindar/kisan* were unable to transfer the land claimed by *dalit/janjati*, including Musahar and Tharu people, report my interviewee, they were often persuaded to 'donate' it to a community cause (e.g. the building of a school or a temple). For instance, Jage, who stopped working as a *haliya* because he was too old to be hired by anyone, complained about how his parents lost their land to a local school, which could have been built instead on available public land or that of a *kisan*, who had several plots.

We had acquired about four-*bigha* land after clearing the forest, but it was later given to the school because we couldn't register it under our name. We didn't have *nagarikata* (a citizenship card). As illiterates, we're frightened of official things, including police and courts, but no one helped us... I hope my grandchildren will learn to read and write so that they don't have to suffer like us (Jage).

Jage may be exaggerating when he claims to have four-*bigha* land (about 10,414.8 m²), but he is right that many village people did not possess a *nagarikata* well into the 1990s. So, it was probably easy for 'educated others' to deceive people like Jage. In Nayajib settlement, a number of *kamaiya* families also complained that they were misused by their own ethnic groups, who were holding certain political posts in the villages (Rankin 1999, Gurung 2004, Chhetri 2005). For instance, one adult *kamaiya* labourer was dismayed at finding out that a Tharu headman had transferred his villagers' land not just to his name, but also to some non-Tharu migrants.

We had land, but it was not cultivated. But we didn't know that only registered land would be ours... The (Tharu) village head transferred our land under his name, and gave some of it to *pahadiya* (people hill area) without our knowledge... He got official papers as proof and we had nothing except word of mouth... If we're literate, it couldn't happen... But after losing land, we had no other choices than becoming *kamaiya* (Bane).

My research suggested that all *haliya/kamaiya* adults feel betrayed by the very people they worked for, and they regret failing to avoid it because they were unable to read and write. In Nepal, as already noted, a mass literacy campaign was initiated in the 1960s, but it failed to reach out to the vast majority of people living in rural areas, especially *dalit/janjati* communities until the 1990s (Escobar 1995, Subedi 1999, Ahearn 2001, Valentin 2001, Stash and Hannum 2001, Dixit 2002, Maslak 2003, Robinson-Pant 2009). Therefore, it is not

surprising that none of the *haliya/kamaiya* adults interviewed were literate, or that they understandably hoped to educate their children and grandchildren to record their history as well as to deal with the institutions such as the police or the courts that had denied them justice and their rights.

Educating my grandchildren is important because they'll be able to write down where their ancestors lived or how much land they had... They can also learn about how to register land, pay land revenue or get a land certificate from government offices... They'll be able to understand the law and handle court cases... They'll be wiser than old people like me (Chhile).

6.2.2 Countering Stereotypes

The ethnic Musahar/Tharu people do not just belong to *dalit/janjati* category, but are also classified as a part of the so-called *matwali* (traditionally alcohol drinking) community. Besides being tagged as lazy and having too many children, as noted earlier, they are often stereotyped for their drinking culture, which has arguably kept them in acute poverty (Posel 1995, Kunwar 2000, Lamichhane 2005). During the interviews, some adults admitted that this sort of negative image is partly the result of their own behaviour as well.

Around the time of *bhumisudhar*, my father was persuaded by a district officer to transfer all our land to his name... The man offered a lavish feast of *daru*, chicken meat, sweets, etc., and when my father's drunken eyes started to spin like a wheel, he gave his *lyapche* (thumbprint) on the loan agreement form... He later said, 'he only

took some NRs.60, but the form contained NRs.6,000 debts and each *bigha* of our land was priced at NRs.2,000... He didn't believe he borrowed so much money... I went to the court for a few years, but failed because no one helped me... In the end, the officer enjoyed drinks as well as our land while my father died of guilt, as we couldn't acquire any land ever since (Mune).

When the story of Mune was told to other *haliya/kamaiya* adults, they felt embarrassed and tried hard to defend their habits by saying, 'we only drink during our traditional festivals' (Sitae). During the course of my field research, however, I often met a group of drunken men (and sometimes also women) early in the morning. In Bayibab settlement, for instance, I often had to abandon or reschedule my interview timetable after finding my informants drunk and talking nonsense or quarrelling with each other. At times, the interviews had to be cut short because of the sudden arrival of noisy drunken men and women, who wanted me to join them to drink *daru* instead of talking about their 'uninteresting life' (Bahe). Many children had to put up with forms of alcoholism in Musahar and to a lesser extent in Tharu communities. For instance, a nine-year-old *haliya* boy, who did not want to go back to his alcoholic parents, said, 'my parents take my earnings to drink *jaad/raksi* and cause trouble in the neighbourhood' (Sume). Likewise, a *kisan* made this remark:

Poverty or even famine will never leave them (*haliya* families) because they don't save anything from their earnings... When they earn something during the day, they rush to *hat bajar* (street market) in the evening to

finish it on food and especially *daru*... About the future, they say, 'dekhlejethye' (I'll see) instead of developing a habit to save (Maratis).

Some adults like Sitae acknowledged that the use of alcohol and gambling, exacerbated by poverty and unemployment, has increasingly affected not just family relations, but also communal harmony.

I see poverty and disunity among *kamaiya* people as being fuelled by a lack of education, and, most importantly, by their habit of living for the day.... They labour during the day, but use up all their earnings in the evening through food, *daru*, cigarettes or even gambling... Sometimes they don't even think of their hungry family, let alone learning to save... They can't get better jobs without schooling, nor can they agree with each other as a community to do something useful... They argue with their own people, especially under the influence of *daru*, but they are incapable of speaking when they really have to. For example, they can't communicate with advocacy groups, government officials or on any legal matters (Sitae).

Sitae also suggests that a lack of education is seriously hampering *haliya/kamaiya* families in coming out of their marginalised condition. In many sense, therefore, education in the post-1990 Nepal is seen as a symbol of 'logic, development and progress' while illiteracy is 'tied to illogical thinking, backwardness, underdevelopment, both at the individual and societal levels' (Baynham cit. Ahearn 2001: 118, see also Escobar 1995).

6.2.3 Overcoming Household Poverty

During the interviews *haliya/kamaiya* adults viewed education not just in terms of recording their lost past, or improving their self-image and being able to deal with official matters, but it was also equally important for them to get out of poverty and the (debt) bonded system by finding a better job elsewhere.

We suffered because we couldn't read and write. If my grandchildren could study, they would gain knowledge. They could become teachers, drivers or find other jobs that are better than being a *haliya*... One of my granddaughters goes to school, and I ask her what she learns, she says, *ka-kha* (the alphabet). I can't reply because I can't read (Kale).

For me, it is *kala akchhar bhaís barabar* (lit. the black printed letters look the same as buffaloes to me)... But if my grandchildren can read and write, no one will deceive them... Instead of a lifelong *haliya*, they can also become shopkeepers, teachers or nurses (Mune).

At the same time, a number of families, who were in contact with 'educated' individuals, or who had been able to send their own children or grandchildren to school, were not very optimistic about the influence of education in their communities. For instance, a father of nine children felt humiliated by the attitudes of educated people from his own ethnic group, including his own son.

All of us want our children to attend school because we felt that we had to spend our life as a *kamaiya* due to our illiteracy... We didn't have *nagarikata*, we couldn't register any land, and those we asked for help in fact cheated us. This forced us to become a *kamaiya*... After we moved

here (in Nayajib), we sent the young ones (<11-12 year olds) to school, and others must help to gather daily family meals... At the same time, we are not sure if education will really change our lives. For example, I often visit the Land Reform Office in Bardiya. There is an ethnic Tharu (junior) officer, but he never says, uncle, why did you come here,' or 'tell me if I can assist you?' Like any other employee, he looks down upon us as poor and ignorant people, and talks in a threatening voice from his rolling chair... This seems to be the norm of 'educated' individuals... I'm talking about others, but in fact, even my own youngest son doesn't care about his family... I was proud to let him complete primary school, he went away to find a job, but we don't know where he has gone... If children behave like this, then, what do we, as parents, gain from education? (Sitae).

In spite of the negative experiences like the one above, all *haliya/kamaiya* parents, including Sitae, were keen to send their children to school. Among other things noted earlier, it would potentially increase their chances of earning a better income in the future.¹⁰⁰ At the same time, both children and parents cited acute family poverty as the prime reason for their failure to enter formal education (though their lack of educational role models in the communities may have also played a part). Sometimes this problem was made worse by the fact that most *haliya/kamaiya* families live in a joint household with many children.

¹⁰⁰ Labour migration has become so widespread that official figures showed between July 2006-2007, some 199,191 Nepali entered 15 countries other than India – the latter is not counted because of the open border policy for movement of people (Giri 2009a: 112). Today, there appears to be a kind of mass hysteria among all sections of Nepalese society that many children of Bayibab/Nayajib settlements also talked about going abroad to earn money (see also Chapter VII).

In Nayajib settlement, for instance, whether the family has five members or 15, they have the same five *kattha* land so it is impossible to make a living if children do not work.¹⁰¹ This partly explains why there is a sharp decline in children's school attendance around the age of 10. In Bayibab settlement, most Musahar parents claimed that they are eager to educate their children, but on my visit to the nearby primary school, I found less than a dozen children (out of some 60 Musahar households) studying. When I inquired with the head teacher, he somewhat stereotypically replied:

They don't have any concept of schooling... Their only concern is to work as a *haliya* or in brick-kilns. Whatever they earn they'll use it up on food and drinks (i.e. *daru*); you should see their habits! They get married very early and have many children, but don't educate them... Some NGOs tried to support them; they accepted things like cheap loans to rear chickens or goats, or to buy books, dresses etc. for their children. But only a few come to school, and, that may only be for a total of two months in a year... I've also visited Musahar families to request them to educate their children. They say, 'OK, Sir, we'll send them from tomorrow,' but no one comes... Their mentality never seems to change (Field Notes 13/11/2006).

Indeed, Musahar parents appeared to be less active in educating their children than their Tharu counterparts (where comparatively more children have joined school). At the same time, parents insisted that the main reason behind their children remaining out of school is due to the daily struggle for family survival. A

¹⁰¹ On 17 November 2008, a newspaper article has captured their situation under this heading 'Jangalmai Samuhik Kheti: Aatmanirbhar Hudaichhan Mukta Kamaiya' (Collective Farming in the Jungle: A Survival Approach of Freed Kamaiya Families) (*Weeklynepal.com* cit. Giri 2009a: 112).

number of NGOs claimed to support Bayibab/Nayajib settlements, but Musahar/Tharu elders said that they receive a few things (e.g. stationery materials) or nothing at all. During informal conversations, a Nepali researcher gave the following opinion:

Local people may not know who is doing what because coverage of interventions is done through local intermediary groups, and hence they are only known by beneficiaries instead of NGOs. Likewise, any NGO support tends to be relatively thin, not 'global,' and yet a claim of overall coverage may be reported for various reasons. For instance, only some 11,000 *kamaiya* families have been rehabilitated so far while other 20,000 new ones are still waiting. If we make a conservative estimate of each family having three children, then, there will be 60,000 children needing to be targeted for education. The coverage of advocacy groups may be a couple of thousand at best (Sharma cit. Giri 2009a: 103).

My overall field data suggests that *haliya/kamaiya* parents did see education as a way to have a better life, but at the same time, they were unable to send all their children to school. Even if there was a government school in the neighbourhood or they received some support from NGOs, the older children (i.e. more than a half of my participants) were more likely to be working to earn family wages than attending formal education. Tharu parents in particular preferred even their younger children to combine 'work with education' at the *kisan's* house. They seemed to be pleased when they were able to strike a package deal in which *kisan* gave them a plot of *adhiya* land and allowed their children to attend school, as well as giving them food, clothes and a sleeping place. This deal

apparently helped them fulfil at least part of their daily needs, and it also had the potential to enhance their cultural and economic status in the community if their children were able to finish a certain amount of schooling. The following sections, in turn, explore *haliya/kamaiya* children's educational aspirations as well as the challenges they face.

6.3 Musahar/Tharu Children's Study Aspirations and Challenges

All my participants, particularly those coming from Nayajib settlement, talked about the importance of education in their life: 'Children should go to school... not just work' (Kalpu A). It certainly appears that the Nepali media and the urban elites have popularised the Euro-American childhood ideal, which is why bonded children like Kalpu A also thinks a child's rightful place is school even though she is aware of her limitations (Escobar 1995, Nsamenang 1999, Alaraudanjoki 2003, Doftori 2004). During my field study, most Musahar and Tharu children argued that 'a good child goes to school and learns positive things, especially good manners and discipline, and honours parental and community values' (Basu). Likewise, in a group discussion, all participants agreed with what Shive, who has managed to complete five years of study while being a *kamaiya*, said.

We (children) should be going to school, doing homework given by the teacher, obeying the words of parents, not going to watch (Indian) films, not doing wrong (things), and not being other's *kamaiya*.

In practice, most children had to make compromises. Children like Shive, who did not get the chance to study at home, accepted an annual contract with a *kisan* for

food, clothes and education. In an ideal situation, he would rather not have been a *kamaiya*, but is fully aware of the fact that his alternatives are non-existent. Lalu A, who had joined 'adult literacy' classes, but could not continue because she had to go away to work as a *kamaiya*, expressed her opinion much more vigorously than Shive.

Depending on the (family) situation, children like us should do small jobs, but not the heavy ones. We shouldn't be only working or carrying out tasks that are too difficult... Education is our right so we shouldn't be working to earn money based on our age. We should also have enough time for play, rest and study... We should get the love of parents, eat good food, wear nice clothes, and stay under the family's protection... Of course, we've to stay with our parents so as not to get involved in bad activities (Lalu A).

The most striking thing about the above interview extract is a virtually illiterate girl saying, 'education is our right.' I thought maybe Lalu A was in contact with NGOs that publicise about literacy and schooling so, as a way of probing, I asked her how she came to think about schooling in such a way. She replied, 'No one told me this, but when I saw my *kisan*'s children attending school, I became sad and angry; it was that moment I thought of studying, not just working.' Unfortunately, what she saw as an ideal childhood, which she could never actually experience. While Lalu A's father expects income for the family, her *kisan* had no interest in letting her study and work. Other *haliya/kamaiya* children, who also could not attend school, said, 'we wish that we could also study like others, be able to work in a respected field and be a successful person in future.'

Like their parents, they believe that a literate person could not be deceived by anyone, and also that being literate would allow them to find work in a better environment that paid well.

If I could complete the SLC (School Leaving Certificate), I would have found a better-paid job elsewhere, which wouldn't only make my future better, but the lives of my family as well (Ashe).

Once we start studying, we should be able to continue up to SLC so that we can be good citizens for our communities (Manu).

The above interview extracts show that *haliya/kamaiya* children believe that even having a bit of education has the potential to improve their social status as well as the living standards of their families. Among those attending school while staying with their families, however, a few children who dropped out because they could not study or disliked the school environment, and everyone else reported that they were compelled to become a *haliya/kamaiya* to help their family.

6.3.1 *Children's Barriers to Education at Home*

Musahar/Tharu children talked about various circumstances at home that limited their chances of studying at school. For some children, staying with relatives after their parents had died or disappeared, or with whom they had difficult family relationships (e.g. alcoholism, quarrelling), affected their

schooling. In such environments, they had hardly any chance of studying at home.

I never saw my parents. My uncle says, 'they died from a mysterious illness.' I grew up in my uncle's family, but I wasn't treated well... I had to work while his children went to school. When I was about 10 years old, I found my current *maliknia* so I came to work and study (Bhabu).

We came to work and live with our *malik* because our parents used up everything in *daru*. We often didn't have food at home, but our parents would go to *hat bajar* and come home drunk (instead of bringing foodstuffs)... Although we aren't attending school, our *malik* treats us better than our own parents (Jibe/Sume).

I've six siblings; most of us haven't joined the school. After the recent elopement of two of my sisters (aged 14-16), my father moved my stepmother and her two children into our hut... Now, 10 of us are living together, but my father and two mothers are arguing constantly... When my brother went to India for *majduri* my father sent me to work for a *kisan*... I wouldn't go if we had enough food and there was no quarrelling at home (Khuiu).

While the children above did not have any educational possibilities at home, others, especially from *kamaiya* families, said that they were enrolled at the local school, but as soon as they were able to carry out certain household tasks like babysitting or shepherding their parents forged a *haliya/kamaiya* contract for them.

While I was with my family, I used to attend school and look after our goats... But my parents said, 'we need your income to support the family... I had to become a *kamaiya* (Kalpu A).

I used to go to school. I played most of the time because there was very little work to do at home... My father told me to become a *kamaiya* to earn foodstuffs... *adhiya* land for the family (Mite).

My mother asked me to stop going to school when I was in second grade... Then, I went to work as a *haliya* to help the family (Katte).

As indicated above, Musahar/Tharu children wished to continue studying in their own families. However, when their parents reminded them of food shortages in front of other people, they felt bad about their inability to fulfil their 'most important familial duty' (Shive). For instance, Basu, who had already worked as a *kamaiya* for seven years, explained her situation as follows.

When *kisan* came searching for (*kamaiya*) children, my parents talked to a potential *malik* in front of me, telling him about our household problems and negotiating payments... Then, they said, 'As you've seen our difficulty at home, it'd be better if you went to work.' This embarrassing situation forced me to go with the *malik*... I couldn't say I want to study... because there wasn't any chance (Basu).

Basu also suggests that children accept parental decisions when they were sure that staying home neither aids their family's daily needs nor allows them to study. Likewise, Sunu, who recently terminated her four year long *kamaiya* work

contract when her parents arranged her marriage, had this story to share.

My parents weren't able to educate me even though I was interested...

We had no food at home for many hungry mouths. So, I had to become a *kamaiya* to earn money instead of studying (Sunu).

For girls in particular, as noted in Chapter V, the possibility of enrolling at school is very slim, and once they get married, they have to leave their own parents' house to carry out household tasks in her husband's family. With this, the possibility of education seems to end.

During the field research, it was also found that some children dropped out of school when they could not pass their examinations. Instead of repeating the same class/grade, they often concluded that it was wise to follow the advice of their parents, which was to work to earn family income. A number of stories were told in this way: 'I used to help my parents in the house and attend school, but I stopped studying when I failed in grade four. My parents suggested that I worked fulltime as a *haliya* to lessen the family burden, and I didn't mind going away to work' (Shyae). In other situations, children had 'bad' experiences at school, which forced them to quit studying (though some realised after becoming a *haliya/kamaiya* that it was not a clever decision). For instance, Sague, who stopped his education after his teacher beat him, regretted his attitude towards schooling when he started to work as a *kamaiya*.

I joined school when my father enrolled only my (younger) brother...

However, I ran away after a teacher severely beat me up for not doing homework... I told my father that I'd rather become a *kamaiya* than

going to school... When I started work, I regretted quitting the school, and wanted to go back... By working hard I've become a 'wise' person (i.e. understood the importance of education). My father has asked me to work for another year. Only then, might I join the school (Sague).

While Sague hoped to go back to his family to start school, many others wondered whether they would be able to study while working as a *haliya/kamaiya*.

6.4 Study Aspirations and Challenges as *Haliya/Kamaiya* Children

The majority of my participants did not have a realistic option of studying while staying with their parents. As they grew older, their prospects of obtaining a formal education became even more difficult. As soon as their parents realised their children had the ability to carry out certain domestic or agricultural tasks, they seemed to actively search for a *kisan* to secure loans and *adhiya* land. Their parents negotiated 'an education and work' deal with the *kisan* even though they were well aware of the 'double trouble' of work and study (Giri 2007a). Nonetheless, they hoped that their *malik/maliknia* would allow their children to study once the contract was verbally agreed. As far as children were concerned, they gave the following reasons for accepting *haliya/kamaiya* work:

My *maliknia* said, 'I'll give good food and nice clothes, and also allow you to study...' I thought my future might be better than if I stayed home without anything (Saru).

I accepted to go with my *malik* because he said, 'If I helped his family with household work, then, I'd be allowed to go to school' (Kalpu A).

Besides some foodstuffs for my parents, my *malik* said, he'd allow me to study. So, I went with him (Shive).

6.4.1 *The 'Double Trouble' of Haliya/Kamaiya Children*

I was particularly interested in understanding *haliya/kamaiya* children's 'double trouble' when combining work and study. As a child of rural Nepali parents, I also had to combine household work with schooling, which I found extremely hard to manage (see Giri 2007a for details). I hypothesised that it would be much harder if I were to work and study at someone else's house. Yet during my stay in the field, it emerged that a number of *haliya/kamaiya* children have successfully combined their work and education.

I went to work with the promise of getting good food and education... My *malik* allowed me to study. They told me, 'If I can study well, then, they'll help me to get a job' (Anu).

I had to do kitchen work and take care of animals... But I could also attend a public school during the day... Even if my parents don't get anything, it's okay because I wanted to study. I don't think I could get the same chance elsewhere (Gitu).

I attended a local school during the day... I had to clean the house and take care of animals... cut grass/fodder in the morning and evening... But

I could still do my homework. I call my *maliknia* grandmother, who has promised to let me study as much as I can (Bhabu).

Although other *haliya/kamaiya* children seemed to be less satisfied than Anu, Bhabu or GITU, they claimed to be handling the demands of their *kisan* and that of school.

Before taking me, my *malik* said that I'd be working a bit and attending school... But, I had to do all kinds of domestic activities. There was hardly any time to study... yet I passed my school year (Kalpu A).

I went with the *kisan* thinking I would work and study, because it wasn't possible at (my) home. I could attend school, but I didn't get enough time for homework. My *malik/maliknia* told me that I was at school for eight hours and it should be enough for studying. They wanted to keep me busy during the non-school hours. That's why I was doing everything except cooking... Still I managed this difficult situation for five years, and didn't fail a single time (Shive).

Like Kalpu A and Shive, among those combining work and school, most said that 'I want to stay and work as long as I can study' (Anju), and they were worried whether they would be allowed to continue or not. For instance, Gope, who had managed to study uninterrupted for the last three years, expressed his anxiety as follows.

I became a *kamaiya* from an early age, but I managed to study... I'd have a better future if I could finish SLC... I've always worried that I may have

to drop out at any time... If this happens, my dream to become a teacher will vanish forever (Gope).

When it came to educating boys and girls, *kamaiya* girls complained about gender discrimination at home and 'abuse' by their *kisan*. Particularly among my participants from the *haliya* system, boys outnumbered girls overall in terms of the ones who work. One Nepali researcher believes that this is caused partly by the fact that Musahar families are culturally strict and are likely to restrict their daughters going away alone to work whereas Tharu parents are 'more liberal so they accept girls working without the presence of their family' (Sharma cit. Giri 2009a: 111). Like the aforementioned case of Sunu, however, when it came to girls' adult roles and responsibility, they were still considered as mere housewives, and less of a priority for parents to invest in them. This is perhaps why the worry of not being able to study for a 'better future' is much greater for girls than boys.

I want to study but I don't know if I'll be allowed to finish SCL... I might work here for a couple of years... When my parents find me a husband, I must go and live with his family... I won't be able to study at all (Laxu).

Both *haliya/kamaiya* children were happy to take the work and study offer even if it meant carrying out numerous tasks for long hours. However, their *malik/maliknia* tended to put a lot of pressure on them to compensate for the loss of work during the school hours (10-4 pm), and they received very little time to complete their homework. Sometimes I wondered whether children could really study if their day passes like this:

I get up at 5:30 am and make tea for my *malik*'s family and for myself. Then, I cook *khole* and feed it to the animals. I again make the *khole* for the afternoon. Then, I prepare *kuti* and give it to the animals after mixing with *bhus* and hay. I eat food and leave for school at around 10 am... During the short afternoon break, I come back home to give the *khole* to the animals, and prepare snacks for my *malik*'s family. Then, I go back to school till 4 pm... After coming back, I give food to *bhai*, and go to cut the grass. Then, I play with *bhai* (younger siblings) until the evening meal is ready. After eating, I clean the utensils, and watch television for a while. I study a bit before going to bed at around 8 pm... But during the farming and harvesting seasons, I can't study because I've to help my *malik/maliknia* a lot in the field (Saru).

If schooling is also included, Saru is working for more than 15 hours a day, but she still claimed to have passed all her examinations by studying 'a bit' (about 30 minutes) in the evening.¹⁰² I wanted to talk to her employers about her study and work, but they refused by saying, 'We've given her good food/clothes and the best chance to study; if we didn't help, she'd end up becoming a *hat bajar* seller.' Saru was aware of this worse alternative and conceded that she is better off staying with her current employers, and she hoped to continue working and studying. Unfortunately, many of my participants, especially if they endured bad

¹⁰² I was surprised by this, and wondered whether Saru is indeed very clever, or her *malik/maliknia* persuaded the school administration to give pass marks. In Nepal, if someone has a link with a school administration, it is possible to increase the marks/grades, or even move the child to any class/grades s/he deems necessary (and in fact, as noted earlier, the government itself does not mind students failing up to eight grades). In such cases, the idea of meritocracy or individual achievement has a little relevance. However, Saru's employers did not want to discuss anything about her work and study.

treatment on top of the hard work, eventually gave up school in order to take full-time *haliya/kamaiya* contracts or manual work elsewhere. Some of the most frequently talked about situations were recounted as follows:

I went to the school during the day (10 am to 4 pm)... But I had no time to study or do homework because I had to work at other times... In the evening, even if I had free time, I couldn't study because I was so tired from working all day... I wanted to go to bed right after dinner (Laxu).

Sometimes they let me go to the school and other times I wasn't allowed... They often told me to go and cut grass/fodder so I couldn't study... Eventually, I had to give up the idea of studying (Samju).

I could attend school, but I had to leave because I couldn't do my homework... I wasn't given any free time for this... Now, I've found a new *kisan*, who gives me less work than previous *malik* so I'm able to study (Anu).

Children like Laxu, Samju, or Anu who could not manage the 'double trouble' of schooling and work either tried to find a new *kisan*, who would allow them to study (Anu), or dropped out of school in order to just work (Samju). If the promise of education was repeatedly flouted by different *kisan*, children were naturally upset, but still continued working for the sake of their family.

Our *malik* takes us with a false promise... like 'Oh, we won't send you out to work, it's just household work.' Once we are at their place, the reality is totally different... We've to do domestic and agricultural work that is too heavy for our body... They also say, 'You'll be studying and your

future will be better if you come with us,' but we can't even know the alphabet once we start working (Basu).

My *malik* took me saying, 'You can work during the mornings and evening and study during the day.' But once I was in their house, things weren't the same... I mean I worked without study (Babu).

They had promised me to give good food/clothes and education, but I haven't attended school yet (Manu).

According to my participants like Basu, those *kisan* unwilling to abide by the promise of education even collaborated with their neighbours to prevent other *haliya/kamaiya* children from going to school. The logic appeared to be that if they could convince their workers that no one was actually studying, then, children would find it much easier to accept it. As for the children, it often had the opposite effect because they decided to change *malik/maliknia* whenever they could clear any outstanding debt or end their annual contract. If this also did not guarantee their chance to study, and going back home was an even worse option, they decided to forget about studying and concentrate on earning family income.

Like everyone else (in the group interview), I was also promised by my *malik* that I'd go to school, but he didn't send me at all... My *maliknia* thought I might complain about another *kamaiya* girl working and studying nearby. So, she persuaded her neighbour to stop educating his worker. She told him, 'You shouldn't let your *kamlariya* go to study because ours will also want to join; if this happens, who's going to

clean utensils, cut grass, and look after our animals?'... After some time, the girl was out of school, and I also had to forget about studying (Basu).

In the end, however, none of my participants were able to complete their desired level of schooling (i.e. up to the SLC level). Acute poverty at home, and often bogus education promises of some *kisan* were the two main factors that prevented them from studying. They expressed the following grievances:

My parents have many children, but we've no land (except the five *kattha* given by the government)... My father is the only person earning something to support us. I'm the oldest child so my father found a *kisan* as soon as I was able to do some household work... I didn't want to go because I wanted to study, but our economic condition is really bad... We've to struggle daily to gather food and clothes... So, I had to think about the daily problems in my family and go to work (Lalu A).

I used to feel bad especially when I had to herd goats and buffaloes on a stormy day... When I saw other children going to school, while I was working, I thought if I'd also get the chance to have education, it'd be great... My second brother used to say, 'I want to give up being a *kamaiya* and start attending school'... I also thought like that, but we knew this was only our dream of the moment (Darse).

The sense of family responsibility was so strong for Musahar/Tharu children that they not only gave up their chance to study, but also often disregarded their

own health and wellbeing. In other words, earning something for family was a must for every child, which is illustrated by the following stories.

My parents told me that *majduri* is bad because I'd be paid only half of adult daily wage (NRs.60).¹⁰³ I wouldn't receive any food. Being a *kamaiya*, I was able to secure food/clothes for myself, and two quintals of unprocessed rice per year and *adhiya* land for my family. It (my earnings) did not depend on whether I had to work or not (Mayu).

I wanted to study, but my employers didn't admit me to the local school... We can't do anything other than work when we're at other people's house... If I go back to my family, there is nothing and I'd have to help them by doing *majduri*, which is worse than being a *kamaiya* because it is only seasonal work... so I've given up not only studying, but have also moved to a different *malik* to earn better income for my family (Sanu).

¹⁰³ It may be worthwhile noting here that in 2008, the coalition government headed by the, then, Nepal Communist Party (Maoist) repealed the previous \$1 a day wage policy, which was never strictly enforced, and introduced different layers of wages. Becoming effective from 17 September 2008, 'the minimum wage for unskilled labourers was [fixed at] approximately 4,600 rupees (approximately \$65) -- 3,050 rupees (\$43) as a basic salary, and 1,550 rupees (\$22) as an allowance... Wages for semiskilled workers was set at 4,650 rupees (\$66), for skilled workers at 4,760 rupees (\$67), and for highly skilled workers at 4,950 rupees (\$70)... the law calls for a 48-hour workweek, with one day off per week and one half-hour rest per eight hours worked, and it limits overtime to 20 hours per week with 50 percent overtime pay per hour... [The wage could also be increased] through a tripartite mechanism comprised of representatives of the government, the employer, and the employee' (US Department of State 2009: online). Unfortunately, as with all the other laws, the implementation of such a policy has remained on paper as the government failed to establish an enforcement body. As a result, 'wages in the informal service sector and in agriculture often were as much as 50 percent lower... [And moreover] none of these [above-mentioned] minimum wages were sufficient to provide a decent standard of living for a worker and his family' (ibid.).

Kamaiya work was too hard (due to the combination of household and agricultural tasks). But I had no choice (because *majduri* work is not easy either). My family is very poor and I always feel responsible to support them (Phulu).

As shown above, if children participated in seasonal *majduri*, they would earn half the adult daily wage, and their parents would not attain basic necessities. So, they have no choice other than to accept the *haliya/kamaiya* contract to fulfil their familial duty. Nevertheless, a number of children like Mayu surprised me when she mentioned that she knew there was a lack of enforcement of legislation concerning *haliya/kamaiya* children, and, in particular, making education accessible to their circumstances.

My heart and mind wants to study, but my parents made me a *kamaiya* by looking at the poor economic conditions. I share my difficulties with my friends, who also work like me. They also tell me, 'if you could get some education, you would get a better job in the future.' I can't make my own choice, and I think children like us will continue to work because (the current anti-*kamaiya*) law seems to help only the adults... There should be a separate law to ban the work done by children like us as well. Only then, we might get a chance to study (Mayu).

When I asked how she got the idea of banning children's work, Mayu replied that she had read it in a newspaper in her *kisan's* house. This seems to be a clear example of the positive impact education can have on children because only

recently have advocacy groups publicised the fact that parents are exchanging their children's labour for loans and *adhiya* land.¹⁰⁴

6.5 Chapter Summary

The idea of educating children appears important to Musahar/Tharu families because they see it as an important tool in raising their social status and enabling them to overcome poverty by challenging the existing stereotypes about their cultural and economic backwardness. There are practical problems for both Musahar/Tharu parents (i.e. food shortages) and the *kisan* (i.e. high wages, and fear of the law). Yet, they seem to make the promise of education as their point of 'mutual agreement.' In this way, parents hope to receive foodstuffs, loans, and *adhiya* land while the *kisan* seeks to employ children as cheap labourers. This

¹⁰⁴ In July 2007, which is also the month when *kamaiya* system was first declared as illegal, the Nepali government announced that it will 'rehabilitate' all *kamaiya* families by early 2008, which some newspapers headlined as 'PM [Girija Prasad Koirala] assures to solve Kamaiya problem in three months' (Giri 2009a: 125), but it failed to make any commitment to children like Mayu. As noted elsewhere, ILO-IPEC started its second Time-Bound Programme in early 2008, targeting *kamaiya* children, and it also includes 3 *haliya* districts, Dhanusa, Siraha and Saptari (ILO-IPEC Nepal 2006). However, its positive impact on children may not be seen for some time to come. Astonishingly, almost exactly two years after the previous government's announcement, the cabinet meeting headed by the Prime Minister Madhab Kumar Nepal yet again broke the news on 1 July 2009 that his government has 'decided to rehabilitate freed Kamaiyas living in various districts within six months' (Giri 2009a: 61). Despite its catchy headlines ('Kamaiyas to be rehabilitated within six months'), the news reporter offered no further information regarding why this issue was raised exactly 6 month before the National Master Plan's deadline to completely eliminate the worst forms of child labour, including the *kamaiya* practice, nor was there an outline of any concrete program to expedite the rehabilitation process. Does this mean that the recent change of the government leadership, which has been happening quite frequently since the establishment of multiparty democratic system in 1991, has only attempted to please the ordinary people like its predecessors.

allows both parties to bypass the government law and the possible exposure to 'nosy' advocacy groups, and newspapers. The detailed analysis shows that the promise of education is sometimes a trick of the *kisan* (and may be on the part of parents also) to forge a contract that does not really benefit *haliya/kamaiya* children. They are either not allowed to attend school or are given so much work that they eventually have to drop the idea of education. Among the research participants, only a few boys managed to go through the 'double trouble' of work and study to complete primary education, and none of the girls had reached that level. In spite of everything, children put their familial duty above personal aspirations, and continued helping in whatever ways they could.

CHAPTER VII

Children's Transition from Bonded Labour: Exploring Future Alternatives to Haliya/Kamaiya Work

7.0 Introduction

In the post-2000 period, almost all *kamaiya* children are working independently of the adult members of their families. Except for a few, who seemed to continue with the *kamaiya* agreement, adults engage in various unskilled activities near their settlements, or in big cities within Nepal or in India. On the other hand, the majority of *haliya* children appeared to live within their communities and combine *haliya* work and *majduri* (though they are also increasingly interested in the idea of moving out of their villages to find a 'better paid' work).

Keeping this background in mind, this chapter aims to cover the following aspects. Firstly, it explores *haliya/kamaiya* children's future expectations by using the data collected during the first phase of field research. Then, the data collected during the second and third phases of fieldwork are used to discuss what kinds of work activities those children, who have left *haliya/kamaiya* agreements, have been carrying out. Finally, it presents children's reflections on *haliya/kamaiya* work and/or their earlier constructions of bonded labour practices.

7.1 Haliya/Kamaiya Children's Future Expectations

During the first phase of field research, all interviewees (58 in total) were asked what they might do if and when they leave their *haliya/kamaiya* contract. They expressed diverse viewpoints, ranging from 'remaining where I'm now' (Shibe) to 'I want to go to India for construction work' (Thage). As one might expect those children who either did not have parents (such as Shibe), or who had difficult relationships at home, said that they were unsure about anything other than continuing as bonded workers.

We don't want to go back home... There's no food and our parents don't treat us well (Sume and Jibe).

If I go for a visit, my aunty says, 'Why are you here?' So, I don't feel like going to meet her family (Shibe).

Given that children like Sume, Jibe, and Shibe have no support from anyone other than their *kisan*, it may be understandable that they could not articulate about their future. However, the possibility of imagining futures outside a bonded labour did not seem to be alien to everyone because here were children who certainly hoped to improve their future prospects through the backing of their *kisan*. Only when they were asked questions like below, children found it hard to express their future aspirations.

Question: What plans do you have for your future?

Answers:

Phiru: I don't know...

Gope: I don't know what I want to do in my adult life...

Mite: I don't know now, maybe I'll know when I grow older...

Rame: I discuss with my friends about our future, but we don't have a clue about what we'll do...

Laxu: I don't know what to think about the future. But I worry about my family (situation)...

Lalu A: I really don't know about the future, but I just want to help my siblings to get an education. This might help them to find a better job in the future...

Darse: When I grow older, I want to help my young brothers to study, and also take care of my ageing parents...

Seeing these uncertain responses made me wonder whether it was appropriate to ask them questions about their future in the first place. Secondly, I also thought about how much choice and agency these children actually have when they are struggling to survive and help their families by often moving from one *kisan* to another (Pole et al. 1999, Boyden and Levison 2000). As far as girls are concerned, they hardly have any say in the matters that directly affect their lives. Since they were sure of having an arranged marriage, they were generally hesitant about expressing future dreams. Once they are married, they must go with their husbands and follow the orders of the 'new' family. This led some girls like Lalu A, Mayu, and Sunu to go as far as to claim that *haliya/kamaiya* girls have 'neither present nor future.'

Girls don't have a life... let alone a future. Their life is all about helping their own family and after marriage their husband's family (Lalu A).

As for the future, we (girls) have to go to our husband's family, and do whatever they order us to do (Mayu).

I haven't got any future plans, as my mother wants me to get married.

After marriage, I'll go to my husband's house to take care of his family. I

might do seasonal labour work nearby my (husband's) village (Sunu).

Among those boys who did talk about doing something while staying within their settlements, some said that they hoped to grow their own foodstuffs. They wanted to acquire some farmland, domestic animals, especially *goru/rango* (bullocks) to plough the field and to use for *tangga* (wooden wagon to carry farm products).

I want buy my own land to work (Raje).

I hope to get (i.e. buy) some land to produce my own foodstuffs (Ashe).

When I grow older, I'd like to work in agriculture and build my own house (Luve).

These may be genuine life goals of Raje, Ashe, and Luve, but will they be able to buy agricultural land or build a nice house for the future when they have to struggle daily to meet their basic needs? As a way of probing, I asked them how they would build a house or buy land without any savings, or the vocational skills or education that might allow them to earn more. Then, they appeared to be more cautious in their responses, recognising that changing their future life was not an easy matter.

We're born as farmers so we want to continue that. But, how can we be farmers without the farm? I don't think we'll be able to buy land unless some miracle happens to us (Lalu A).

Our (Tharu) society can't save anything for tomorrow... We (children) can't study or learn skills for a 'better' job (because of our poverty)... I also think that parents don't try hard to preserve anything for their children. For example, they take pride in having too many offspring, but they have saved nothing to survive... So, it's hard to say anything about our future (Shive).

While Shive's views express pessimism about his future prospects, which are not so bright, others talked about migrating to the cities or India in search of higher paid unskilled work to fulfil their dreams.

I want to go to Punjab (India) to earn a lot of money so that I can build my own house (Rupe).

I want to migrate to the cities or other countries to find a better job and earn money for my family's future (Katte).

I started to work as *haliya* when I was 10 years old, but, nowadays, my friends are persuading me to go with them to cities or to India to work as a manual labourer... They say it's a 'good money.' Sometimes I feel like going away, but I can't make the decision because I'm working nearby my family and have other friends to play (Luve).

While children like Luvu were afraid of moving to an ‘unknown’ place, others like Rupe and Katte thought about going elsewhere to earn a ‘better’ income for their future. However, the majority of them appeared to believe that their future would be better if someone helped them along the way.

7.1.1 Vision of Future Through External Support

During the interviews, *haliya/kamaiya* children were especially puzzled by the question: What do you think you will be doing if you move away from *haliya/kamaiya* work? They could voice only a few things other than getting married or carrying out agricultural and/or seasonal labour in their adult lives. It was only when they were asked ‘if someone came to offer you some help what would you want to do?’ that they mentioned various wishes and expectations, including the following.

If someone helps me, I’ll ask them to understand about my need for study, food, clothes, and shelter (Gope).

I’d ask for food, clothes and education from anyone willing to help me (Shanu).

If someone could help us, I’d ask them to improve my family’s economic conditions (Laxu).

I don’t want to spend my life working at someone’s house or in the farm because I want to be a mechanic, but how will I be able to make my

dream come true without any money? When I was at home, my father used to beat me up for disliking farm work, but now we've no land because my father has given five-*kattha* land as a security against the loan he took to go to India. I want to get back the land that my father has mortgaged for a few hundred Nepali Rupees. If I find someone willing to help me, I'd ask for some money to buy a pair of *rango* (male buffaloes used in Tarai region for ploughing and pulling *tangga*), and for a mechanical training so that I can establish my own shop (Thage).

The above examples make it clear that it was common to hear things like 'if we get help, we'd be able 'to study like other children' (Lalu A), 'to work in a respected field' (Shive), or 'to become a successful person in future' (Saru). Their 'externally-backed' aspirations for the future may be divided into at least three broad and often overlapping categories.

7.1.2 *Schooling and/or Adult Literacy*

As detailed in Chapter V, the vast majority of children accepted *haliya/kamaiya* contracts when their *kisan* made a 'promise' of allowing them to attend a public school. For many, however, the promise of education did not materialise once they started to work. They were either not sent to school, or, even if they were, had to drop out because of the lack of free time to study. These 'drop-outs', along with those who worked for the *kisan* without the promise of education, hoped to be able learn reading and writing skills in their post-*haliya/kamaiya* lives.

The Education For All slogan of UNESCO has been highly publicised in Nepal¹⁰⁵ so that when I asked about studying, every child is likely to say, 'I want to study to become a doctor, engineer, or a pilot' or anything that potentially helps them become a recognisable person in the society. During the interviews, however, Musahar/Tharu children realistically acknowledged that they have no way of becoming a 'famous' person, but having a certain level of education would make them 'cleverer' than their parents so that no one would be able to cheat on them. They were well-informed of the stories of their illiterate parents and grandparents being manipulated by *jamindar/kisan* families or local leaders to get favours. Many of them had not only lost their properties or land, but had also become generational debt bonded labourers. Therefore, if they could get external support, they hoped to, so to say, regain their lost history in the Nepali society by learning to read and write, and especially to 'fix the familial problems' like alcoholism that had a strong impact on their lives.

If we could read and write, we'd teach our (neighbourhood) people about the bad effects of *jaad/raksi*. This would help improve our image because some people tease us calling *jadyako bachcha* (lit. kids of the alcoholics)... We don't want to always feel bad about our parents' (drunken) behaviours (Sume and Jibe).

¹⁰⁵ As noted earlier, the recent announcement of School Sector Reform 2009-2015 is being formulated in tune with the Education For All programme of UNESCO, which has been supported by the World Bank (see also Robinson-Pant 2009).

If anybody helps me, I would ask (them) to support me with my study. I want to help other (orphan) children like me when I'm old enough (Bhabu).

If they'd help me, I'd like to study (i.e. to be able to read and write). I'd also ask them help me register my birth date and get the *nagarikata*... It'd help me in getting other jobs (Rupe).

My parents didn't let me go to school even though I really wanted to study. So, if other people would help me, I'd ask them to pay for my education (Katte).

7.1.3 *Getting a Professional Occupation*

As with the idea of schooling and/or literacy classes, *haliya/kamaiya* children wished that, if other people such as *kisan*, NGOs, or anyone with socioeconomic influence would help them, they would gain professional employment in the future. They were eager to express the view that this would guarantee them permanent work and therefore a better income to support their families.

If someone would help me, I'd like to become a police officer, and be able to take care of my wife and children in the future (Shibe).

I'm hoping to learn to drive a passenger bus. It's my dream to get a license and become a life-long driver. I'd ask them to help me on that (Bidhe).

If I receive any support, I'd (like to) build a house and learn to drive a tractor (Rite).

Even though I don't have a (school) certificate, I hope to become a soldier... I'd request them (benefactors) to help me find a way to join the army (Shyae).

If someone would help me study, I want to become a teacher or a health assistant in the future (Sanje).

In Nepal, all organs of the state bureaucracy are widely seen as corrupt and often defunct (Thapa 2000). At the same time, anyone employed in government offices paradoxically commands considerable respect (and therefore power). Moreover, official work is more secure than working in the private/informal sector. This could be one of the main reasons motivating *haliya/kamaiya* children to talk about gaining a governmental/professional job, even though they would need someone's backing to start. With the current trend of massive youth un- and under-employment (ILO-PRSP 2002, ILO-IPEC Nepal 2006), it has become nearly impossible for anyone to get their 'dream job' if they do not have *aaphno manchhe* (a back-up person) in the right position and at the right time (Bista 1991, also see Macfarlane 1990).

7.1.4 Learning Vocational Skills

Those children unable to join school, including the ones whose *kisan* did not keep their promise of educating their workers, hoped to take part in vocational

training along with adult literacy classes. As with their other outside-help-dependent aspirations, they are acutely aware that they have no chance unless someone is willing to use his/her influence for them.

We want to learn tailoring, goat husbandry, opening a kiosk, or any other hand skills like carpentering, masonry, mechanics, etc. (9 *kamaiya* children).

If we could get training in tailoring at evening classes, our future prospects would be improved... I hope to learn self-sustaining skills if someone offered me help (Babu).

If anyone would help me, I'd ask (him or her) to let me study and learn practical skills like tailoring. In this way, I wouldn't have to depend on *haliya* work (Sunu).

I'd ask them to set up a small shop or help me undergo skills training like carpentry (Ashe).

If I'd get education (i.e. literacy classes) or learn skills like tailoring, I'd earn more money in the future and have an easier life (Sanu).

If I was offered tailoring courses or some money to open a (handicraft) shop, then, I'd happily make my life a bit better (Bhagu).

During the group interview, one of the *kamaiya* children tried to summarise the kinds of support children like him would seek to improve their post-*haliya/kamaiya* lives.

If anybody would offer help, then, we'd ask (them) to help us set up a small shops so that it becomes easier for us to support our family... we'd also request them to support us educationally to become a teacher, nurse or a community worker... If we could get training on things like tailoring, carpentering, etc., then, we'd be able to run family life by utilising those skills to earn better income (Shive).

Since Musahar/Tharu families have been in generational dependency for many years, it may not be surprising that *haliya/kamaiya* children today cannot foresee their future improving without the help of others. However, even children like Shive, who has completed primary education while being a bonded child labourer, outlined all kinds of external support mentioned by other working children, as the only way to change his future life. While further reasons for this generalised hopelessness will be expanded in the last section of this chapter, the focus will now turn into what children are doing after getting married and/or terminating their *haliya/kamaiya* contract.

7.2 Children's Post-*Haliya/Kamaiya* Life

I followed *haliya/kamaiya* children's lives for about two years, and at the end of my field research, the older informants told me that most of them were still nowhere near to fulfilling their future aspirations. If they did not owe anything to

their *kisan*/employer, they seemed to move out of the bonded labour agreement after marriage, or around the age of 16, but it was difficult for them to envisage any options other than continuing seasonal bonded work or moving away from their families to take up unskilled work in the cities or in India.

7.2.1 Continuing *Haliya/Kamaiya* Work

As discussed elsewhere, obtaining food/clothes, *adhiya* land, loans, etc., are some of the key advantages in accepting *haliya/kamaiya* contracts. In this sense, both parents and children were hoping to maintain some sort of relationship with their *kisan* and had plans to continue working as long as they were unsure of finding a 'better' alternative. However, even with this lack of future options, children had their own particular reasons to work for the *kisan*.

I grew up in my uncle's family, but they weren't nice to me. So, I came here to work as a *haliya*... I like it here (Bhabu).

I don't have my own family. That's why I became a *haliya*... I'll continue to work unless I'm able to get a permanent (police) job (Shibe).

We don't know what to do because our parents are drunkards... They treat us worse than our *malik*... We don't want to go anywhere from here (Sume and Jibe).

My father even sold our goats to drink alcohol... When he came home drunk, he'd scold, and sometimes beat us (me, my mother and siblings).

That's why my mother sent me away to become a *kamaiya*... I prefer to work here than going back to see my bad father (Ramu).

The above quotes show that orphan *haliya/kamaiya* children like Bhabu and Shibe are forced to compare their home situations with that of their employers, and choose to remain with the latter regardless of what the future may hold for them. They were uncertain about other work alternatives, and even if they wanted to go away to search for a better income, they neither have the money nor the social networks to do so (see also Baker 2000). In this sense, they often felt better continuing *haliya/kamaiya* work than going to unknown places. However, some of them also claimed that if their 'parent(s) were alive, (they) wouldn't have done bonded work' (Bipe).

I want to work hard and also study well. I hope to be able to live on my own in the future. But right now, I've nowhere to go... I hope my *malik/maliknia* will continue to let me study. I'm positive because my friends also tell me that I'm lucky to find such a nice *kisan* (Bhabu).

I don't have parents. So, I've to work here as long as my *kisan* allows me. I'm afraid of going away (to the city or India) for work... and I don't like brick-kiln work; it's too hard... without food, clothes and a sleeping place (Shibe).

In my mind, however, even if their family situation was similar to that of other *haliya/kamaiya* children, it would probably be a mere dream of Bhabu and Shibe not to be working, and they would probably have the same work options as those children who have parents. It was equally noteworthy that some children, even

those who had a good relationship with their families, also found it hard to make a decision to stay or leave *haliya/kamaiya* work. They were caught up between the need to support their families on a day-to-day-basis and seeking out potential options to improve their own future prospects.

My *maliknia* says, 'If you leave my home, your future won't be good, I'll find a police job for you (some years later).' I want to stay because that's what I want to do. But my mother tells me to forget about the future job and start earning family income... Of course, I want my future to be better, but I also want to help my parents now. I'm so confused. I don't know what to do (Saru).

My *malik* says, 'If I stay with him for a few more years, he'll teach me how to drive a tractor (because I'm not yet strong in terms of age and strength).' It'd be really great, but he pays really low so my parents are asking me to find other work... and my friends want me to go with them to India. I haven't been able to decide anything yet (Darse).

Although many realised that their *kisan* have no interest in educating them, children like Saru and Darse wished to continue the *haliya/kamaiya* work, hoping to learn skills or obtain governmental jobs with the patronage of their *kisan*. Other children were unable to leave because their parents were benefiting and they themselves were unsure about venturing out to a new working life elsewhere.

I don't want to leave *kamaiya* work. My *kisan* is okay, and my parents are happy with my earnings... I don't know about other better work. Some of my friends, who went to the cities, say, '(Unskilled) work is not

easy at all... sometimes they've to sleep without food.' This scares me (Dukhe).

I don't have any education or training to get a better job elsewhere. Many of my (older) friends have gone to the cities or India to earn more (than from *haliya* work). But I don't see their family situation improved... I want to stay here and combine *haliya* work with that in the brick-kilns... I'm also hoping to learn to drive a tractor and get a license (Jange).

I've four older sisters, who are yet to get married. My parents don't have money to arrange their marriages (so my turn won't come for some time). I've worked for (a number of) different *kisan*. They all treated me badly. But my father tells me to continue because we're getting *adhiya* land, loans, etc... I think he'll arrange my marriage with a *kamaiya* as well (Lalu A).

Although the short lived government led by then Nepal Communist Party (Maoist) finally banned *haliya* practice in September 2008, it is unclear how and when *haliya* labourers like the ones found in Bayibab settlement will get a proper rehabilitation.¹⁰⁶ I also found a few Tharu adults from Nayajib settlement, who

¹⁰⁶ In its 2009 country report, the United Nations High Commissioner for Human Rights writes that 'the Government in September 2008 declared the emancipation of *Haliyas* and cancelled all inherited debts. A task force comprising government officials and *Haliya* representatives was formed to make recommendations to the Government on rehabilitation measures. These are positive developments, but concrete progress to implement commitments and recommendations is necessary, as most *Haliyas* remain in debt-bondage to landowners' (OHCHR Nepal 2009: 6, original emphasis).

were still engaged in *kamaiya* agreement.¹⁰⁷ So it may not be surprising that some children like Lalu A continue their adult life as a *kamaiya*, and marriage may not feature as one of the major points of departure from *haliya/kamaiya* work. At the same time, the vast majority of children, especially girls, stopped making an annual contract with the *kisan* once they were married. They tried to find seasonal work in agriculture within their neighbourhood or temporarily moved to the cities with their husbands for other manual jobs.

7.2.2 Marriage-led Exits from Haliya/Kamaiya Contract

Reports have pointed out that almost 50 percent of Nepali girls get married before the government fixed minimum age of 18 (Plan International 2007). During the field research, it was also observed that most children from Musahar/Tharu communities got married by the age of 18. While boys tended to be in their late teenage years, as I found out during my interviews, parents arranged their daughters' marriage as early as 12 years old. It is parents' moral and cultural responsibility to facilitate their children's marriages, but the poor household situation appeared to be a major reason for sending daughters away at an early age. Some of the girl participants were unhappy about such attitudes of their families. When I first met Basu, who appeared to be one of the most vocal critics of the 'new *kamaiya* practice' (i.e. the current trend of employing only children) and of gender discrimination within her (Tharu) community, told my research assistants and me about her plan to learn vocational skills, especially

¹⁰⁷ This observation is consistent with a number of recent survey studies, carried out by other researchers, in the Naya Muluk region (e.g. Kvalbein 2007)

tailoring, so that she would not have to continue becoming a *kamaiya* and would not have to work as a manual labourer in her adult life. About nine months later, when I again visited Nayajib settlement, Basu was quite embarrassed to present herself as a married woman. However, she quickly defended her situation:

After working as *kamaiya* for six years, my parents asked me to come back home (in August 2007). I didn't know that they were arranging my marriage. I couldn't refuse so I moved to my husband's family.

Another *kamaiya* girl, who claimed to be 14 years old although she looked only 12, talked about how her parents tricked her into an arranged marriage.

My father sent me a message asking me to come home immediately because my mother was very sick. But when I came, the story was not true... A few days later, I saw several people coming to negotiate the marriage deal. I was shocked at first. But I couldn't refuse my parents' persuasion... And by the end of my annual contract, I got married... I haven't done paid work yet, but my husband says, 'We'll go to India for seasonal labour' (Sunu).

By ratifying the UNCRC, the Government of Nepal has accepted the definition of a child as someone below the age of 18, but as discussed in Chapter III, its heterogeneous citizens appear to use marriage as a benchmark in differentiating a child from an adult (Giri 2009a). This communal practice often has far-reaching implications for children, including shouldering full family responsibilities. A married boy/man may not only take on the symbolic role as household head, but will have to do everything to support the entire family. Bringing a wife home can

help him in some ways because she manages household matters while he is free to look for better paid work elsewhere. It appeared that the majority of girl participants had to take on the biggest share of the household burden by looking after their 'new family.'

As far as married Musahar girls were concerned, most of them did not completely abandon their *haliya* contract, but combined it with brick-kiln or other manual work alongside their husbands.

I stayed with my employer for five years, but had to leave because my parents arranged my marriage. Now, I'm staying with my husband's family. I continue to do *haliya* work, but more on a seasonal basis... I also do manual work to earn a daily wage. This is going to be my life though my husband wants to go to the city or to India to earn more money.... most (*haliya*) girls spend their lives like mine (Ramu).

Rather than to earn family income *per se*, most parents seemed to have sent their daughters to work as *haliya/kamaiya* labourers to learn both household and agricultural skills – an essential part of their adult life. It also seemed that these girls often looked healthier and better dressed than those who were not in *haliya/kamaiya* contracts. As the following field notes explain, once they physically appeared as adults and learned the 'essential skills' necessary to be a wife, parents tended to remove them from the *kisan's* house to marry them off.

When I ask parents 'why do you send your daughters away to work,' everyone gives the same answer, which is, 'they must help make our living.' But it seems that this is not the only, or even one of the main, reasons. If they stayed home, there seems hardly any chance to learn

'practical' skills (like cooking, rearing children, learning to treat guests respectfully, etc.) needed for adult life. They own hardly any land, they have few domestic animals, and there are normally many children to share little household work. And, if they go to work as manual labourers, girls are unlikely to learn 'women's work' (i.e. household activities). Other added advantages are that they are also likely to learn the Nepali language and 'high caste' manners and disciplines, which may boost their status as *battis lakshyanle yukta bhaeki*.¹⁰⁸ In terms of their physical health/looks, there appears to be a huge difference between those girls, who had never, or not yet, done *haliya/kamaiya* work, and those who are doing it or have come back to their families at the end of their annual contract. While the former often look malnourished and hygienically less aware, the latter are well dressed (even with old clothes) and quite healthy, or in a few cases, even a bit overweight. This was generally true even when *haliya/kamaiya* girls complained of receiving 'bad' treatments, including a lack of 'proper' food, from their *malik/maliknia*. In a sense, the benefits the girls had while working away from home seem to have tremendously helped their parents to attract 'suitable' husbands for them. I found some girls, who never went to work as *haliya/kamaiya*, still unmarried (due to less interest from groom's side), and all of those coming back from home at the end of their contract getting married within a few months (Field notes 18/01/2007).

¹⁰⁸ A famous Nepali proverb says a perfect wife must be *battis lakshyanle yukta bhaeki* (lit. possessing 32 noble personal characteristics). Although it is unclear what all these characteristics are, even today, a groom's family uses astrologers to determine whether the bride-to-be has most of the *battis lakshyan* or not.

Once girls got married, their economic obligation towards their birth family disappeared, but it was comforting to their parents to know that they had fulfilled one of the most important parental duties by arranging their children's marriage. As noted earlier, however, the economic factors tend to outweigh the cultural ones when it comes to arranging early marriage (i.e. she is no longer 'our' responsibility).

7.2.3 Combining *Haliya* and Brick-Kilns Work

An ultra-left political faction called the Nepal Communist Party (Maoist) launched the so-called 'people's war' in the mid-1990s (1996-2006), which involved not just fighting against the government forces, but also brutally attacking anyone they considered allied to the 'feudal regime' i.e. opposed to the rebels (Sapkota 2004, Whelpton 2005, Ishii et al. 2007, Gellner et al. 2008). Those families, who could not tolerate the violent insurgency, took refuge in more secure urban areas after renting out their land. In Bayibab area, for instance, this has led to the establishment of a number of large brick-kilns that offer temporary jobs to poverty-stricken communities like Musahar. According to a *haliya* employer, 'when rice fields were turned into brick factories, *haliya* workers started to get an alternative income during the dry period' (Maratis). I observed that most *haliya* boys (aged >15) do not completely terminate their agreement, but rather combine it with other seasonal work, especially making or piling up bricks within the brick-kilns. The following stories were regularly heard during the interviews.

I go to work in the brick-kiln during the dry period (January-May).

Carrying bricks is very hard work, but we must do everything to survive.

I earn between NRs.80 and 100 per day... Of course, it depends on my ability to work (Bidhe).

During the off-farm season, I work in the brick-kiln. I've to go there early in the morning (between 6 am to 12 pm). After taking three hours off for a mid-day break, I go back to work from 2 to 6 pm. If I carried 1000 bricks to a baking or storage place (an approximate distance of 200 meters), then, I'd earn NRs.100 in a day (Site).

These days, *kisan* don't want to hire (older) boys as *haliya* during the off-farm period. So, we've to work in other places. Some friends say, 'Let's go to Punjab (India) during harvesting off-season.' I don't know how far it is... and I don't have (travel) money. So, I've stayed with my family to work in the brick-kiln. It's very hard work, but also better paid than other (unskilled) jobs (Rite).

The above quotes give the impression that brick-kiln work is comparatively better paid than *haliya* arrangements (up to NRs.2500 per month versus NRs.500 plus food and clothes). However, earnings depended on children's physical ability to carry the loads.¹⁰⁹ Likewise, apart from 'wages' per brick, they did not

¹⁰⁹ Although young *haliya* children, especially boys, seem to prefer brick-factory work for quick cash, they are worse off both in terms of income and the potential health risks. For instance, a 14 years old boy carries 10 bricks (or 10 x 2.5 kilograms) on his head and walks 200 meters to drop them in the baking place; his goal is to earn NRs.100 (or €1.10) in a day, and for this, he carries 1000 bricks (or 2500 kg) and walks around 40 kilometres. If this boy worked in agriculture, he would probably get much less (about NRs.40 and may be food for the day), but the brickwork

receive any food, clothes, or medication if they become ill. Therefore, if they failed to work for a few days, they would have to borrow money to buy foodstuffs. As examples below suggest, if they became unemployed for a longer period, they could be trapped into a vicious circle of indebtedness.

I'm able to earn about NRs.2500 monthly, but I've already taken some loans for food. So, I've to worry about how to pay off my debt and how to meet day-to-day expenses. I get really tired of carrying bricks. Actually, I don't like to do *jyaladari* everyday... From my *haliya* work, I don't get much money (because they mostly give payment in kind)... We often need cash to buy clothes, pay for traditional ceremonies/rituals, etc... So, either way, it's very hard to make our living (Bidhe).

I took NRs.1000 as advance from a brick factory to buy a goat and baby buffalo, but I couldn't pay it back because my parents took all my earnings from *haliya* work. If I start to work to pay back my debt, we won't have food at home. This even makes me want to run away with my friends to India to work as a manual labourer (Katte).

For children like Bidhe and Katte, who were running into debt and yet were unable to earn enough to meet their daily needs, migrating to the cities or India was sometimes the least bad option. In this way, they not only hoped to avoid paying the debt back for a while, but also hoped to earn a better income to

was so intense that he would often suffer from fever and other pollution related illnesses, and hence was unable to work every day. In this sense, the Musahar children often preferred the *haliya* work.

support their families and eventually to pay off their debt when they come back home.

7.2.4 Combining *Kamaiya* and Seasonal Labour

As noted in Chapter III, the Nayajib settlement and its surrounding area are much poorer than its Bayibab counterparts. This of course has negative implications for (child) job seekers. For instance, *kamaiya* children could not work in brick-kilns like their *haliya* colleagues because brick factories have not been established in the neighbourhood. However, a few children, who remained with their families to continue working as a *kamaiya* and/or seasonal labourers, cited various reasons for not going elsewhere for work.

I know some children from my neighbourhood have gone to Nepalganj (city) to work in restaurants, construction sites, pedalling *riksha* etc. I don't know what work those who have gone to India do... I don't know if it's possible to earn a lot (more than working as a *kamaiya*)... I haven't heard them saying 'we earn a lot.' May be I'll go away some years later (Sanje).

When I got married, my wife and her family didn't agree with my plan to go to India. I work as a (daytime) *kamaiya* and my wife takes care of my family and works here and there (as a manual labour). I might go to India later (Dukhe).

For a married girl like me, there is no choice. I've to listen to whatever my husband and his parents say. I couldn't go with my husband (to India) to work... I'm doing seasonal labour in the village (Phulu).

Since my father died (a few years ago), my brother heads our family. He has forced me to continue working as a *kamaiya*. He doesn't want me to go anywhere for work (Bipe).

Among other things, my (older) participants above make it clear that they would have liked to explore the possibility of earning more money away from their settlements if they had received sufficient information and/or permission to do so. As the following section discusses, those who were eager and able to migrate to the cities or to India had done so as soon as they could terminate their *haliya/kamaiya* contract.

7.2.5 Migration to Cities/India

The turbulent political situation since the mid-1990s has made going abroad so popular in Nepal that even the small children in the remote settlements like Nayajib talk about going to India or the Gulf countries to earn 'big' money in their 'adult' lives.¹¹⁰ It is not surprising therefore that those *haliya/kamaiya* boys who were not content with bonded or manual labour, and did not owe any debt, started to go elsewhere from the age of about 15. Most of them were often lured

¹¹⁰ Newspapers report that around 560 Nepali leave the country daily in search of jobs, especially in the Gulf region. In fact, besides India and Western countries, the Department of Foreign Employment estimates that around 3 million Nepalese labourers are currently working in Malaysia and the Gulf States of which 71 percent are unskilled, 27 percent are semi-skilled, and merely two percent are skilled. An estimated NRs.209 billion remittance came to Nepal in 2008-2009, accounting for almost 20 percent of the Gross Domestic Product, or GDP (*Nepalnews* cit. Giri 2009: 160, see also Ishii et al. 2007).

by the rumours of better-paid jobs, but had no prior knowledge of working conditions or income.

Within the two years of my fieldwork period, some of the older children or those who had married had moved away to other villages or to cities so it was difficult to meet all of them to talk about their post-*haliya/kamaiya* lives. Among those I managed to track down had shared the stories like these:

I worked as a *kamaiya* for many years, but I wasn't able to pay the debt incurred by my marriage. So, I had to find work that would allow me to earn cash. But I didn't have any skills. When I came here (Nepalganj), I had to learn to pedal *riksha* first. Then, I had to find an owner, who would be willing to rent me a *riksha* during the day... On a good day, I earn about NRs.150, but I must pay NRs.30 to *riksha* owner, and pay for my meals in the (local) restaurant... (Thage).

I told him not to go, but my son went to Punjab (India) with others. I don't know when he'll come home... Some people, who went there a few years ago, haven't come back yet... Last year, an unknown (Indian) gang killed five young (Musahar) migrants for no reason... I worry about my son (Dille's father).

As Bidhe complained earlier, working as a *haliya/kamaiya* labourer does not provide much cash to pay for social functions like marriages. So children such as Thage may be forced to move around different cities or even go to India with their friends or relatives for unskilled jobs. Although Dille's father might have good reasons to worry (newspapers have often reported missing migrant

workers),¹¹¹ some children believe that they could save more money if they worked in India, as the income is slightly higher there than in Nepal,¹¹² and that if they came home only once in a year, they would be able to save more than if they worked with their villages or nearby cities/towns.

In the initial years of their marriage, a few girls also managed to go with their spouses to the cities or to India for unskilled work, especially if their husbands had siblings to help their parents-in-laws handle the work in the household.

Since his parents are also very poor like mine, we decided to go to the city to work in the construction sites. I've to carry bricks, sand and cements from 9 am to 6 pm for NRs.150... I don't know how long I can work here... But if I'm pregnant, then, I've to go back and live with my husband's family... I'll be looking after my own child(ren) and carrying out daily household activities like cleaning, cooking and rearing animals... If I've time, I'll also be engaged in seasonal labour within my neighbourhood (Basu).

Recalling Basu's earlier views on gender discrimination, it was fascinating to note how her parents talked about their own daughter vis-à-vis daughter-in-law.

I arranged my oldest daughter's marriage... it was the right time (aged 16) for her to start a family.... I think she is happy to go to new place (city) with her husband for work... As my wife couldn't handle

¹¹¹ See, for instance, Jagaran Media, which collects and/or publishes news articles about the *dalit* communities of Nepal, for a number of recent casualties of child migrant workers (Giri 2009a)

¹¹² It is often largely due to Indian Rupee (IRs.) having a higher exchange value than its Nepali counterparts (i.e. IRs.100 = NRs.160).

household chores, I arranged my oldest son's marriage. But he took my daughter-in-law to Punjab (India) to work in the agriculture... It's already 9 months and we haven't heard anything nor received any income... Last time (when you're [interviewer] here), my wife and I were in our settlement, and now, we came to work in construction sites to earn our daily meals, which their husbands migrated elsewhere for work (Basu's parents/Sunu's parents-in-laws).

If we compare the above quotes, it appears that Basu's parents are okay when their daughter goes to Nepalganj with her husband, but express unhappiness when their daughter-in-law does the same. During an informal conversation, they claimed that the reason 'why he doesn't send money home is because she's eating/keeping everything while doing no work herself.' Without meeting both sides, it was difficult to make any judgements, but it is likely that she followed her husband having heard/seen the bad experiences of other girls when they stayed with their parents-in-law (see story of Raju below).

Some girls also complained that they found it quite hard when their husbands left home to migrate in search of work within the first few months of their marriage. While they had to work hard to support their husband's family, they often did not receive fair treatment. That led some of them to go back to their parents, and wait for their husbands to come back.

My parents arranged my marriage while I was working as a *kamaiya*. I went to my husband's family, but after some time, he went to India to work... When I gave birth to a daughter, my parents-in-law weren't nice

to me. They scolded me with threats... So, I've been living with my parents... I don't know when my husband will come. It's already been 18 months... I'm surviving by engaging in daily wage labour in the neighbourhood (Bhagu).

According to the village chiefs, most migrant boys do come back (normally every year) even if they could not earn 'big' money. However, some of them brought back bad habits like drinking and gambling, and for some unexplained reason, a few boys had completely ignored their newly married wives.

After a few months of our marriage, my husband left me alone and ran away to India. People started look at me strangely and tease me by saying things like 'she can't handle one husband either' ... After a while, I received a letter in which it was written that he was suffering from HIV so I should leave him. I didn't buy his story and sent him a reply asking, if he wasn't interested in me, why he had married me? He never replied. He has ruined my status in front of my villagers; everywhere I go they are talking about me (Raju).

An incident like this often made girls believe that if their husbands would work within the village as a manual or *haliya/kamaiya* labourer, the community would be in a position to put pressure on them to take their family responsibilities seriously. During the first phase of field research, Raju had become one of my female assistants' closest and most informative participants, but her life took a dramatic turn later on. She said that a stranger raped her when followed her employer's order in the late evening, and she did not receive any medical or psychological support when she came back to her family a year later. Then, she

eloped with a neighbourhood boy, but soon after he entered India for seasonal labour, he broke off communications. When she failed to contact her husband, she was forced to abandon her marriage against her wishes. Although she did not appear to be very happy of her situation, Raju assured us (me and my assistants) that she is coping with her life, and does not require any support (see Jordans and Sharma 2004 for the difficulty of providing psychological care in Nepal).

7.3 Others' Views on the Future of Musahar/Tharu Children

The detailed description shows several socio-cultural factors hindering Musahar/Tharu families emerging from many layers of poverty. Until the *kamaiya* system was banned in 2000, advocacy groups blamed the government for its 'apathy' towards 'indigenous' people who had to become bonded labourers (INSEC 2000, Lowe et al. 2001, Edwin et al. 2005).¹¹³ This study has

¹¹³ In spite of introducing various laws and rehabilitation programmes, including the Master Plan (2004-2014) and the Time Bound Programme, the issue of bonded labour continues to hit newspaper headlines, sending a shockwave to the government as well as various NGOs, including the ILO, to hear the same story as they themselves had admitted in 2006. On 17 July 2009, coinciding with the ninth anniversary of their official freedom, the Freed Kamaiya Society (FKS) 'claimed that out of 32,000 *kamaiya* families in Banke, Bardiya, Kailali, Kanchanpur and Dang districts, only 18,000 have been rehabilitated whereas 14,000 are still awaiting rehabilitation' (*Kantipuronline.com* cit Giri 2009: 16). When further inquired about the claim of the FKS, the land reform office in Bardiya admitted that out of the 16,262 freed *kamaiyas* in the district, 11,875 are yet to be settled (*Thehimalayantimes.com* cit Giri 2009: 16). Likewise, interviews with the former *kamaiya* individuals also revealed the stories like this: 'A *kamaiya*, Bintiram Tharu, said nothing had been done for the betterment of the *kamaiyas*. There is no facility of education, drinking water and health in their camps. Though, different organisations claim to work for the welfare of the *kamaiyas*, their condition has yet to improve... [As a result], some of the *kamaiyas* have returned to their masters' (ibid.). Instead of celebrating their historic ninth liberation day, the FKS issued a message to the government with a full of grieves: 'Just giving a piece of land is not

also presented a variety of viewpoints, which generally confirm the claims of advocacy groups about the way bonded labour practices evolved in Nepal. What seems to surprise many NGOs workers (and, hence, reinforce the stereotypes) is the lack of progress in Musahar/Tharu families' daily lives, even after government intervention and large amounts of economic support from both local and foreign NGOs.

No matter how much the government or NGOs try to help them (Musahar/Tharu communities); they won't stop complaining about their landlessness and poverty. It's becoming a 'new' culture... With the rise of political violence (since the mid-1990s), I'd say, Tharu families in particular have become aligned with the 'land (encroachment) mafia' to illegally clear public land, especially forested areas and come to the district offices to register it (in order to sell it)... Many times the government has caught them and tried to settle them permanently, but they don't stop their habits... In the last decade alone up to 20 percent of public land has vanished in (Bardiya) district, but, ironically, their situation hasn't improved (Kule, a government officer of Bardiya district).

By their very nature, NGOs fail to provide long-term sustainable support. But what seems to have happened, especially after the ban on *kamaiya* system, is that these people have developed a culture of dependency... If you visit their settlements, they look at you like a hungry tiger and start inquiring what (benefits) you've brought for them... They won't be

enough. The government should look after *kamaiyas* in terms of all basic needs... Making acts and laws doesn't make any sense if they are not implemented... Poverty still forces *kamaiya* families to work in different hotels and houses... Women face more problems, as they are not paid as men are... They are just given NRs. 50-60 as wage per day' (*Kantipuronline.com* cit Giri 2009: 16).

interested in talking to you if they don't get anything... Since the late 1990s, so many projects have been implemented, but nothing seems to work properly... I think you've noticed the state of tubewell pumps... Even for basic repairs they expect someone to come and help... If such a defeated mentality continues, I don't know whether they'll ever change (Prake, an INGO personnel).

In some ways, the dependency seems to have become so deeply rooted that many Musahar/Tharu people, including children, did not wish to talk about what benefits they were getting from others. They seemed to fear that if they mentioned the help already given, the 'newcomer' will not offer them anything when they realise someone else is already helping. For instance, prior to starting field research in Nayajib settlement, I had read patchy reports claiming that various NGOs have been working to rehabilitate 'freed' *kamaiya* families and encouraging their children to attend school. During the first phase of interviews, *haliya/kamaiya* children did not say anything about the educational support offered by NGOs, and when I mentioned this to a NGO worker involved in the project, he said:

I'm a bit surprised by your story (that children of *kamaiya* families claim not to receive any educational support)... Nayajib is one of the many settlements where we distribute uniforms and stationery at the beginning of the school year... We ask community chiefs to ensure that parents and children turn up to receive it... We do exactly the same thing in Bayibab settlement. However, we've no way of controlling it, and our donations are based on information provided by the respective community leaders (Lale).

Among my participants, some older *kamaiya* children finally conceded receipt of certain items when I told them about my conversation with Lale, but they still maintained that they were often not informed about such support, and even if they got uniforms and books, they could not study due to food shortages at home. Although their excuses appeared to be genuine, the fact that they remained silent about external help reinforced outsiders' views of them. For instance, an ethnic Tharu man, who had helped NGOs carry out several survey studies in the Naya Muluk region, gave the following opinion about (freed) *kamaiya* people.

I think no one denies that some section of Tharu population, and other low caste people like Musahar were (historically) marginalised by the state, and were also dominated by *pahadiya* migrants... Since the 1990s, Tharu people working as *kamaiya* started to receive economic and moral support from NGOs and even from the government, and it continues even today... But I don't see much change in their behaviours or in their family situations. Many of them are still having several children, and men often take many wives... They talk about educating children, but send them to work if they are offered some food or a loan. They don't seem to be bothered about tomorrow as long as they can enjoy today (i.e. by drinking *daru/raksi*, and feasting)... In a sense, and sadly, the social stereotypes of the past have now become accepted as reality in ex-*kamaiya* communities (Tike).

Although *haliya/kamaiya* children were aware of various problems in their families and community, and also about how they were perceived by the Nepali society, they were insistent that without external support to improve their

overall family situation it might never be possible to get rid of bonded labour contracts.

7.4 Chapter Summary

My field study suggests that Musahar and Tharu participants remain in *haliya/kamaiya* contracts for about 10 years. Their departure depended on several factors, including their treatment by their employers, the possibility of education, income for their families or the amount they have taken in loans. For instance, they accepted scolding and minor beatings such as one or two slaps, but when they were beaten frequently or seriously, they would often change their work place or sometimes leave their *kisan* entirely to find unskilled work activities elsewhere. A number of girls had also either left bonded contract or changed to other employers because of sexual harassments.

If they owe nothing to their employer, they seemed either to move out completely or combine *haliya/kamaiya* work with other seasonal labour around the age of 16. However, one important factor that would force girls to move out earlier than this is if their parents arranged a marriage, which did take place at a much younger age than for their male counterparts. After marriage, most girls reported of carrying out seasonal labour and taking care of their husbands' families whereas most boys migrated to the cities or to India in search of unskilled jobs. Of course, the picture is not black and white. Some girls also went with their husbands during the first few years of their marriage, and some boys stayed in their village to engage in seasonal *kamaiya* contract. In the case of (post) *haliya* children, most of them (both boys and girls) continued to combine

seasonal *haliya* labour with that of brick-kiln work. Both *haliya/kamaiya* children expressed high hopes of 'drastically' changing their future life if helped by someone else. Although the majority of my participants had not managed to get much external support by the time I finished my fieldwork, as the next chapter discusses in details, they were still not completely negative about *haliya/kamaiya* practices because it was a kind of last resort still available to them.

CHAPTER VIII

Children's Constructions of Haliya/Kamaiya Labour: Examining Their Perspectives on the Balance Model

8.0 Introduction

The main aim of this chapter is to provide an account of *haliya/kamaiya* children's perceptions of their health and wellbeing, building on those accounts already reported in earlier chapters. Various reports have emphasised that the issue of the wellbeing of working children does not only concern advocacy groups, parents or policymakers, but first and foremost working children themselves. However, how the latter perceive their working conditions may be quite different from the analysis made by the former and remains less well researched (Hobbs and McKechnie 1998, Woodhead 1999a, Ennew et al. 2003). For instance, Hobbs and McKechnie (2007) stress that even children working in the worst situations such as bonded labour will talk about certain benefits

However meagre it may be, sustenance is a benefit available to these children and an alternative must be found to replace that benefit. It may be, too, that children in extreme forms of economic activity may benefit in other unsuspected ways, such as from peer group relationships (2007: 228).

As noted elsewhere, *haliya/kamaiya* practices fall under the unconditional worst forms of child labour of ILO Convention (No.182) so trying to show the costs and

benefits of bonded labour is problematic to those in favour of outright abolition (White 1999, Myers 2001, Noguchi 2002, Invernizzi and Milne 2002, Woodhead 2004). However, Hobbs and McKechnie (1997) developed the 'Balance Model' offering a practical context within which researchers are able to discuss the value of children's daily work. The authors argue that their model was drawn as a response to the shortcomings they outlined in White's (1996) continuum model (i.e. children's work standing between 'intolerable and tolerable'), which was also used by the ILO in formulating its Convention No.182 (Hobbs and McKechnie 1997:137). Initially, they applied the model, which was designed to incorporate a vast quantity of field research data, to study working children in Scotland, and Britain in general. In their recent reflection, however, the authors have claimed that it is applicable also to the developing world, including the study of issues like bonded labour (Hobbs and McKechnie 2007: 228).

For this research, the Balance Model indeed helps to analyse large quantities of data concerning *haliya/kamaiya* children's perceptions of their health and wellbeing. It allows me to present children's views of the negative (costs) and positive (benefits) judgements of bonded work separately, and to examine in a model that is specific to the Nepali context.

8.1 Balance Model and Its Application in the Context of Bonded Labour

As discussed in Chapter V, *haliya/kamaiya* labour is sometimes called 'modern slavery,' and is seen as an 'unconditional' worst form of child labour. Both the ASI and the ILO, along with local advocacy groups, have campaigned against these

practices by taking an abolitionist stance. Social researchers do acknowledge the importance of ILO Convention No.182 in tackling the worst forms of child labour (Noguchi 2002, Invernizzi and Milne 2002, Hanson and Vandaele 2003, Estacio and Marks 2005) while, at the same time, they also provide several examples of the negative consequences of removing working children haphazardly from their occupations. For instance, McKechnie and Hobbs (1998) point out the adverse affect on girl workers in a garment factory in Morocco when they were dismissed after newspapers accused the owner of using child labourers. A researcher, who followed the issue, observed that these girls were 'much worse off than they had been when they were in the factory, since they were working in less attractive jobs for poorer pay' (Hobbs and McKechnie 2007: 229). Similar stories from Bangladesh and Mexico have made it clear that working children were neither consulted nor given any alternatives and, often, ended up worse off (Boyden et al. 1998, Myers 2001, Pierik and Houwerzijl 2006, Haider 2008). A study found that Bangladeshi children were 'not returning to the school as U.S advocates of the (Harkin) measure had expected they would but were instead moving from comparatively safe, well-paid garment factory employment into forms of work at once less remunerative and more dangerous for children' (Myers 2001: 420).

In recent years, researchers have made use of UNCRC, especially Article 32 (protecting children from harm) and 12 (consulting children on matters that affect their lives) in discussions on ending child labour. They have argued that consulting working children on how they value their work vis-à-vis its impact on their health and wellbeing not only acknowledges their agency, but most importantly, it also presents their worldviews, which may be different to those of adults (Johnson et al. 1995). This is where the Balance Model acts as a useful tool

in analysing the costs and benefits of *haliya/kamaiya* work from the perspectives of working children themselves. The Balance Model suggests the following key elements of costs and benefits (Hobbs and McKechnie 2007: 227):

Table 3: Balance Model

Costs of work	Benefits of work
Danger to health, safety	Sense of autonomy
Limit to free time	Sense of self-reliance
Limit to parent, peer contact	Economic knowledge
Negative impact on education	Business knowledge
Encourage instrumentalism ¹¹⁴	Work experience

The authors argue that the broad and multidimensional nature of their model makes it universally acceptable. For instance, they stress that ‘any kind of work experience is associated with certain costs and benefits, and it is important to identify and weigh the factors that influence negative or positive outcomes’ (ibid. 136-39). How negative or positive the value of work is will depend on a number of possible factors intrinsic and extrinsic to the children themselves, including age, gender, working time/hours, types of activities, perceived quality of the work, etc. Hobbs and McKechnie (2007: 231) that it is a challenge for the researcher to identify and measure the appropriate factors and to weigh up the interactions between various aspects, which may influence the impact and the value of work. The authors further stress that their

¹¹⁴ In a personal communication, one of the authors clarified that the term encourage instrumentalism draws on ideas within the US research (see Greenberger and Steinberg 1986), and refers to a process where one learns only to do something for the reward it brings - in the context of work that would mean that you do it only for the money and fail to understand that work can provide intrinsic as well as extrinsic rewards’ (McKechnie cit. Giri 2009a: 144).

Model is simple and broad enough to allow everyone to discuss their experiences in terms of the costs and benefits of work and its alternatives, however difficult the benefits may sometimes be to find (Hobbs and McKechnie 2007: 231).

In addition, the authors mention that the Balance Model aims to distance itself from the debates surrounding distinguishing ‘child labour’ from ‘child work’ by seeking ‘a clearer understanding of the complexities of child work’ (Hobbs and McKechnie 2007: 228). In other words, the Balance Model allows researchers to explore the costs and benefits of any types of children’s work by using locally known negative and positives variables as well as or instead of the ones presented in their original model. In this way of analysing my own field data suggested the following costs and benefits variables.

Table 4: Balance Model Derived from Haliya/Kamaiya Children

Negative Attributes = Costs	Positive Attributes = Benefits
1) Homesickness (due to leaving family/friends at an early age)	1) Escaping difficult relationships at home
2) Discrimination (in terms of caste, food/clothes/sleeping place)	2) Getting food/clothes for themselves, and reducing the economic burden on their family
3) False promise of education	3) Possibility of attending school
4) Heavy work (both household and agricultural)	4) Positive treatment (e.g. pocket money, support during illness)
5) Lack of leisure (in terms of relaxation, time to play, or make friends)	5) Learning future skills (e.g. language, disciplines, vocational training)
6) Negative treatment (scolding/beating, no medical support) <div>a. Sexual abuse (of girl workers)</div>	6) Building ‘social network’ (with powerful people for possible future jobs).

As detailed shortly, this model does not provide an exhaustive list of ‘negative’ and ‘positive’ aspects the entire data set, and there is also a considerable overlap/interlink within and between them. However, those included on the above table were reported by the majority of my participants, and were selected after a number of group discussions held with them at the end of field research. In reflecting on their Balance Model, Hobbs and McKechnie (2007) have slightly modified some of the variables drawn from studies carried in developing countries, but my model includes a number of additional variables, including caste discrimination, which are specific to the Nepali as well as South Asian sociocultural context (see also Chapter IX).

Having outlined the flexibility and thereby usefulness of Hobbs and McKechnie’s model, and recreated another model that is specific to the Nepali context, the rest of this chapter provides an elaborated discussion of the costs and benefits, of *haliya/kamaiya* work as expressed by the children themselves.

8.2 Positive Aspects of Haliya/Kamaiya Work

Although children accepted *haliya/kamaiya* work because of their parents’ insistence, they were also attracted by the idea of getting ‘good’ food, new clothes and possibly education, as well as *adhiya* land or loans for their families. Even the bonded contract was made by parents and employers, children often had their own particular parameters to make judgements, but they viewed bonded work positively as long as most of their expectations were fulfilled by their *kisan*.

8.2.1 Better Food/Clothes/Sleeping Place

It was clear throughout my fieldwork that both Musahar/Tharu families faced serious food shortages at home, which was one of the main reasons forcing them to send their children out to work. Therefore, children expressed positive attitudes towards *haliya/kamaiya* work if they were able to receive 'good' food, clothes and a sleeping place.

I ate together with my *malik's* family and my sleeping place was also better than my own house (Rupe).

I ate the same food together with everyone, and my sleeping place was also better than what I had at my parents' home (Anju).

My *malik* didn't treat me as an outsider. I had the same food as his family... I had a sleeping room only for me with everything I needed to sleep (Rame).

My *kisan* treated me similar to their daughter. I had meals with the whole family... I slept with *bhai/bahini* in a big room (Bhabu).

After my father died suffering from jaundice, it became difficult for my mother to take care of her children by doing seasonal labour. So, she sent me to work as *haliya* to get food and clothes. Sometimes my *malik* also gives some foodstuffs to my mother when she comes to visit me. I feel happy that she's now less burdened (Sunu).

Children like Rame and Bhabu were especially pleased with their living conditions. Coming from large families, who lived in a small hut, they would have to sleep on a floor-mat in a row, so such children were pleased to have a sleeping room with the necessary bedding.

8.2.2 *Escaping Difficult Family Relationships*

Particularly for children without one or both parents, or with difficult relationships at home, *haliya/kamaiya* work was the only option available which gave them food, clothes and a sleeping place.

Our parents always drink *daru* and treat us badly... Our friend helped us come here to work (as a *haliya*). We get food, clothes, and sometimes pocket money. We are happier to live and work here than we'd be going home (Sume and Jibe)

8.2.3 *The Possibility of Education*

As detailed in Chapter V, the idea of getting an education has become the main attraction to children, especially from Nayajib settlement, in accepting *haliya/kamaiya* contracts. Although only a few of my participants were able to complete primary education, many children aspired to join school with the hope of changing their future prospects. Indeed, they often change their *kisan* if he does not keep the promise of letting them study. Even if they do not succeed in persuading their *kisan* to allow them to study, the fact that children see bonded

work as the only means to fulfil their educational aspiration could be seen a positive aspect of post-2000 bonded labour practice in Nepal. That is because, for many children, staying at home and studying was definitely an unthinkable matter.

8.2.4 *Economic Benefits for the Family*

Although the promise of education acted as a catalyst for making the *haliya/kamaiya* contract, 14 out of 31 children from Tharu and 11 out of 19 from Musahar families had gone to work 'exclusively' for their family's income. These 'working only' children were struggling to earn as much money as possible for their families. This idea of 'income maximization' often involved changing their *kisan* at the end of the annual contract in search of a better one.¹¹⁵

For my yearly contract, my father got four quintals of unhusked rice (besides *adhiya* land). I was supposed to receive food and two pairs of clothes and slippers but sometimes they gave only one pair.... My father asked me to continue working because my earning eased the food shortage at home (Lalu A).

¹¹⁵ I would like to again stress that Musahar/Tharu children are able to change their employers or move out of bonded labour contract provided that they can clear any outstanding loans received by their family. In a sense, this is a similar situation to the pre-2000 era because if older children move out of their contract without paying their 'debts' their younger siblings may have to work on their behalf. In Bayibab village, I have noted that the older children (normally over 15) combine *haliya* work with that brick-kilns, and they, sometimes, takeout loans to pay interchangeably between the factory employer and the *kisan*.

Besides food and a place to stay I'd get two pairs of clothes per year and NRs.500 (€5.56) per month, which my parents took... Among other *haliya* children in the area, I was paid the most (Katte).

My previous *malik* didn't pay me much. And I wasn't studying. So, I moved to the current *malik*. He gives NRs.450 per month. My parents also get groceries and rice when they visit me (Bidhe).

Both parents and children understood that the *haliya/kamaiya* work of the latter was making a significant contribution to their survival needs. It also appeared that children often earned as much as their father did during the pre-2000 period. For example, a *haliya* employer expressed the following view.

In the past, the *haliya* agreement only involved paying foodstuffs for the family and providing treatment in case of illness. These days, they have started to demand foodstuffs, money and also education. Even children are getting much more than, say, five years ago (Maratis).

Although Musahar/Tharu children often worked like 'adults' to support their families, they still felt like any other children in many respects. For instance, they were delighted with small amounts of pocket money they occasionally received from their employers.

I did everything that my *malik* asked me to do. So, he'd buy my new sandals and clothes when the old ones were badly torn. During festivals, I also got pocket money to buy sweets and other things (Shyae).

8.2.5 Medical/Moral Support

Keeping in mind that their parents also scolded them if they made mistakes, *haliya/kamaiya* children were not especially concerned when their *kisan* also sometimes scolded them. They did not complain as long as their employers related to them positively and provided them with medical (i.e. First Aid) and other support when needed.

If I were injured or sick, my *malik* would provide medicine and wouldn't send me out to cut grass for four or five days (Jibe).

When I was injured from work, they took me to the pharmacy and allowed me to relax (Katte).

I didn't want to take medicine for minor illnesses. But once I was suffering from typhoid, my *malik* took me to the health post (Thage).

They took me to the pharmacy and used to give me medicine when I was sick (Manu).

Even when the same group of *haliya/kamaiya* children were interviewed for the second or third time, they seemed to accept not just scolding, but often-minor beatings if they were found not to be working properly.

My father also used to beat me. So, I wouldn't mind if my *kisan* slapped me when I made mistakes or didn't do proper work. But luckily I was only scolded (Anju).

I used to get beaten in my own home if didn't know something or made mistakes. If my *malik/maliknia* beat me for similar reasons, I would have accepted it. But I wasn't beaten (Sague).

A long time ago, my *malik* beat me up because I didn't do all the tasks that I was asked to do. After that, they didn't do anything to me (Sanje).

If I did something wrong or didn't really understand their orders, then, they'd scold me by using words like *gadha*, *kukur*, etc. If I did everything nicely, my *maliknia* would praise me and ask me to continue doing such kind of work (Rame).

8.2.6 Learning Language, Social and Vocational Skills

Both Musahar/Tharu communities have their own language and culture (Krauskopf 1989, Skar 1999, Guneratne 2002). Most of them do not speak Nepali, the national language, unless they have worked for a Nepali-speaking family or have attended government school for a few years. However, those who employ *haliya/kamaiya* children largely belong to high caste/*pahadiya* families, and they will strictly enforce their own social codes, including the language.

Besides kitchen and agricultural skills, I've learned Nepali and also Hindi (because my *malik* lived nearby Hindi speaking neighbours)... Later, I can work both in Nepal or India to support my family (Shive).

My parents drink alcohol, and also force us to drink. They often fight and use vulgar words... By coming here (as a *haliya*), I've understood

the bad effects of alcohol. I've also learned Nepali and can speak politely. Besides, my domestic and farming skills will help me live a 'better' future life (Sume).

My *malik* has told me that he'll teach me to drive a tractor. If I learn it, then, I could drive other vehicles as well... I hope to become a bus driver (Sanje).

I want to become a police officer. So, I must learn Nepali. I also need to know manners and disciplines. All these are possible here (while working as a *haliya*)... But I might need my *maliknia's* backing in order to be recruited in the police force (Saru).

On top of learning Nepali, children like Sanje and Saru seemed to have potentially established a social network that may help them in reaching their goals of becoming a driver and a police officer. As Baker (2000) also notes concerning street children of Kathmandu, it is impossible to get ahead in Nepal without *aaphno manchhe* or a backup person/network (see Macfarlane 1990, Bista 1991). So, if *haliya/kamaiya* children are able to please their *kisan*, they hope that they might be helped in the future because the latter often know people in positions of authority.¹¹⁶

¹¹⁶ As stated elsewhere that in the hierarchal Nepali society, social network is more omnipotent fact of life than having a good qualification, and issue becomes ever more important due to the continuing political instability and massive un-and under-employment. The so-called Nepal Labour Force Survey (NLFS) published in August 2009 shows a bleak picture for certain communities like Musahar and Tharu, whose survival depends on daily wage income. The NLFS reports that among the job seekers aged 15 or more, only two-thirds of Nepal's workforce is in fulltime employment (i.e. 40 hours a week), and of the remaining one-third, 19.5 percent worked

8.3 Negative Aspects of Haliya/Kamaiya Work

The analysis so far shows the extent to which Musahar/Tharu children see their bonded work as beneficial given that they have no alternatives. Advocacy groups may be alarmed by such positive views about a condition that has often been called 'modern slavery' (Hewison 1991, Robertson and Mishra 1997, Bales and Robbins 2001, Edwin et al. 2005, van de Geld and Kooijmans 2008). On the other hand, there are also negative aspects of which the children are well aware.

8.3.1 *Having to Leave Family/Friends*

The majority of Musahar/Tharu children start to become *haliya/kamaiya* children around the age of 9. This study shows that their employers primarily offered them food/clothes, and certain remuneration for their families, but, initially, children were unwilling to move away from their village, families and friends. Except for a few children with family troubles, (especially from the Musahar community), who made their own decisions to avoid repercussions at home, it was mainly their parents who forged an annual contract with the *kisan*,

20-30 hours, and 16.6 percent worked below 20 hours, but 2.1 had no work at all. The NLFS further states that the agriculture remains to be the largest employer of the total labour force (73.9 percent), and 26.1 percent were involved in business and service sectors. The fact that only 16.9 percent work for income or wage, argues the NLFS, makes it clear that remain workers make their living from largely subsistent farming, and from small businesses in informal sector (Giri 2009: 133).

often without consulting them.¹¹⁷ However, children also understood the food shortages at home, and went away to work even if they were not particularly happy.

We didn't have enough food to eat and clothes to wear for our big family. So, I had to listen to my parents (when they wanted me) to earn something. I wasn't happy at all to go with my *kisan* (Gope).

I didn't want to become a *kamaiya*, but we had no food to eat, no clothes to wear... I cried a lot when I missed my family and friends. I felt homesick for months (Lalu A).

Especially during the first few months of their bonded contract, *haliya/kamaiya* children felt quite homesick for losing contact with their families and friends. Like Gope and Lalu A, many of them reported of being a kind of depressed and crying when they found out that living and working conditions were not the same as they were initially led to believe. The situation was worse for those who lived far away (i.e. more than two hours walking distance) from their homes. Employers did not allow them to meet anyone else nor were they able to visit their families. Unless they were seriously ill, more than half of my participants reported that they return home only at the end of their annual contract. Therefore, for many children, particularly under *kamaiya* contract, homesickness was a great negative.

¹¹⁷ In the context of Nepal, this could be considered as the modern sense of bonded labour where parents (and also employers) fear the government laws, especially reappraisal from advocacy groups, but at the same time, continue to form an annual contract (often) with their former *kisan*. This is clearly a characteristic of post-2000 bonded labour practice in Nepal, which will be further elaborated in the final chapter.

8.3.2 Caste Discrimination

Nepali law forbids caste discrimination, but in everyday life, especially in many rural communities, this practice remains. As Musahar/Tharu children belong to one of the lower (and, moreover, 'untouchable') castes, they often find themselves segregated from their *kisan*'s family. While carrying out all sorts of domestic and farming activities would be stressful in itself, it was made worse when their *kisan* discriminated against them in terms of their food, clothes and sleeping place. In some cases, their high caste (normally Brahmin) employers did not allow them to enter their kitchen. As the interview extracts below show, having to learn and accept themselves as members of an impure or untouchable caste not only made children feel sad, it also prompted them to construct *haliya/kamaiya* practice negatively.

I'd help my *maliknia* in cooking by cleaning the rice, cutting vegetables and preparing spices, but I was not allowed to enter the *chulo* (kitchen). I was also not allowed to sit around the kitchen to eat together with the family. I had to stay near the *barandah* alone like a dog and eat my meals (Lalu A).

I'd do everything in the house, except cooking (as I was not permitted to enter the kitchen). I especially felt discriminated when *malik/maliknia* even separated their own utensils from those of their *kamaiya*. While they took food on the dining table, I'd be sitting separately on the floor (Shive).

The anti-*kamaiya* laws, combined with the rise of public campaigns against untouchability in the 1990s, seem to have helped *haliya/kamaiya* children stay in the same house (as opposed to in the *bukura/kothar* in pre-2000 era). However, as Lalu A and Shive note, this still did not give them the impression of fairness when their mobility was restricted to a few places (mostly on the ground floor, while the kitchen area remained a 'no go zone'). Some children seemed to be particularly surprised at the discrimination while working for a less strict *kisan*, or in the case of *kamaiya* children, someone of their own caste (i.e. Tharu). For instance, Mayu was permitted to cook food, but when it came to having meals, she had to sit separately.

My *malik* allowed me to enter their kitchen to make tea or meals, but I never sat together with the family in the kitchen area for food. Instead I had to sit near the *barandah* or *chhidi* and eat (Mayu).

It appeared that *haliya/kamaiya* children were not only segregated for meals, but some of them also had to wait until everyone in the family had eaten.

Besides having to sit alone near the door or outside for food, I had to wait until everyone had eaten... I could eat with the family only if unknown people or my parents came... I guess they wanted to present a positive image, but I'd be even more upset... (Shanu).

As Shanu notes, children disliked it when their *kisan* pretended to treat them better when visitors came. In the course of my field research, I visited a number of urban families, who were using domestic servants (though not necessarily

Musahar/Tharu children), and it was not difficult for me to observe this kind of 'face saving' tactic. I did not go for research purposes so they were not worried about my presence, but still they would behave more kindly to their workers while I was around, and treat them 'like a dog,' to use the phrase of Lalu A, after I was out of their sight. When I told this story to a long time *haliya* employer, he gave the following response.

I'd say caste discrimination has decreased dramatically. In the past, employers wouldn't eat any cooked food and water touched by their *haliya* workers. They're not even allowed to enter the house. Now, this practice remains only in a few places. I think maybe 10% of (all) employers live in a very strict caste-based tradition. Also, the expansion of the road network and the launch of brick factories have opened up other possibilities for *haliya* families. So, employers, these days, seem to show more respect and sympathy (Maratis).

Researchers on Nepal generally agree that there have been great changes since the restoration of multiparty politics in the early 1990s, but many socioeconomic challenges remain, especially for poor and low caste people (Whelpton 2005, Ishii et al. 2007, Gellner et al. 2008). For instance, most of the *haliya/kamaiya* employers not only come from a higher caste, but also maintain a considerable socio-political leverage in their areas (Robertson and Mishra 1997, Joshi and Mason 2008), which allows them to continue to maintain caste hierarchy. My observations and interviews also suggest that working children's perceptions of prejudice appeared to be closer to reality than the views expressed by local leaders, employers like Maratis, or even some NGOs workers. One might argue

that since children's agency in general is not seriously valued in the Nepali society, caste discrimination might not be a big deal for *haliya/kamaiya* children. Indeed, they were aware of their low social status, but when their separation from family, heavy workload and bad treatment from their *kisan* was added to the caste-based exclusion, they become less positive about their daily situation.

8.3.3 Lack of Proper Food, Clothes, and Sleeping Place

Musahar/Tharu children accepted *haliya/kamaiya* contracts in the hope of better food/clothes and possibly education for themselves and some income for their families. However, they sometimes found out that their employers not only discriminated against them on a class or caste basis, but also ignored the promises they made during the contract phase. In reality, they often did not receive the same sorts of food as eaten by their *kisan's* family. For instance, a few *kamaiya* children appeared to be particularly dissatisfied because they were given leftovers.

I often had to eat leftover food or sometimes only rice with grinded chillies and salt as curry. My *maliknia* also made me eat the leftovers of her children, who ate like chicken, spilling everywhere. She'd add some *daal* and rice, and say, 'Hey, come for food.' If there was meat, I'd be given pieces with skin and bones. I couldn't refuse, but I'd often secretly give it to animals (Lalu A).

In the meantime, their monthly or annual remuneration went directly to their parents so they had nothing to spend on their own personal needs.

I disliked working as a *kamaiya* because they didn't give me new clothes and slippers (Binu).

I was promised new clothes, including sandals and shoes, but I got old ones of my *malik's* children. I wasn't very happy (Darse).

Some children like Mayu even took whatever footwear they had at home to use during the winter months and were not given new ones by their *kisan*.

My *malik* didn't even give me a pair of *chappal*. I had taken an old pair from my family, but it didn't last long. It was too cold to walk barefooted (Mayu).

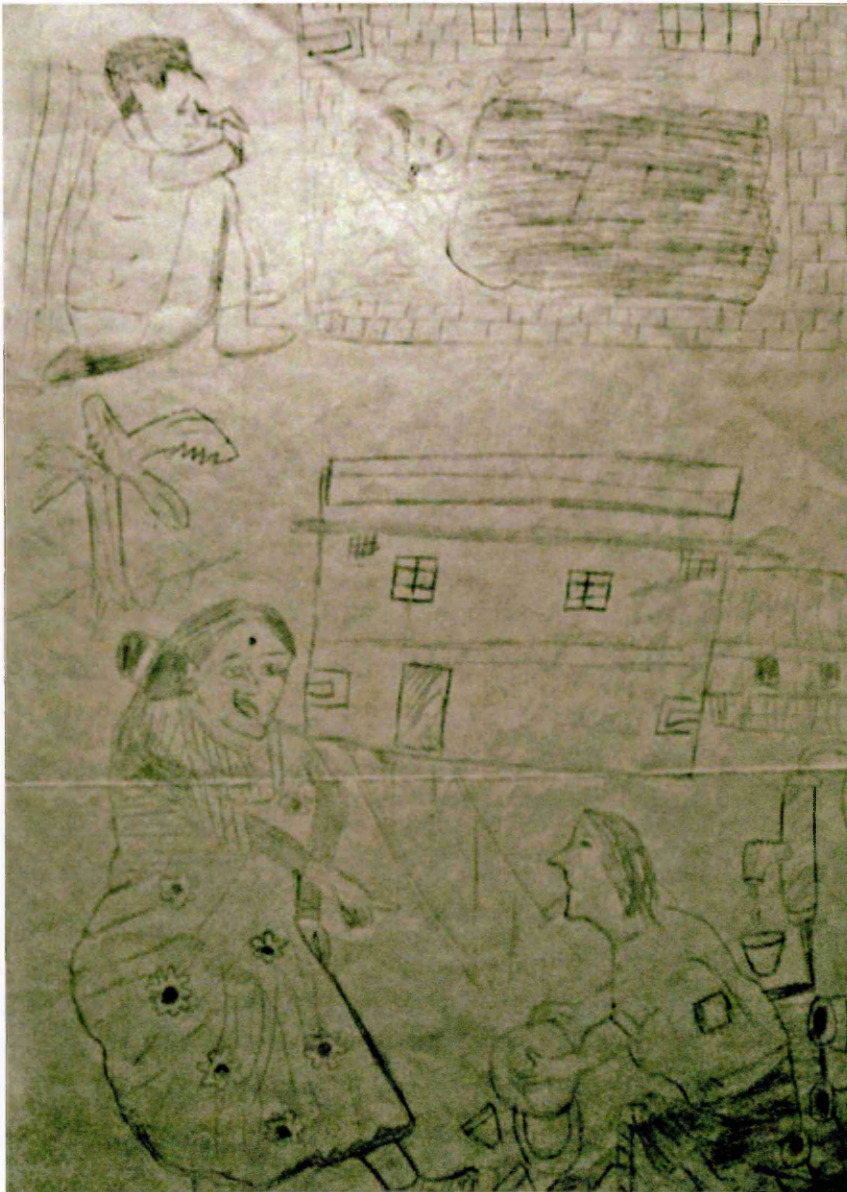
Along with a lack of proper food and clothes, *haliya/kamaiya* children also felt bad when they had to sleep in dark or cold places without proper bedding.

I normally slept near the kitchen area or in the corridor on a mat. It was impossible to sleep due to the cold coming from outside and from the cement floor (Minu).

I had to sleep on the ground floor. I'd be awake for the most part of the night because of the cold. My *malik/maliknia* didn't give me any warm blankets even when I had cold/fever (Raju).

Like food and clothes, I also didn't get a nice place to sleep. I had to sleep in the *chhidi* on a mat and with only a few bedclothes. It was always cold (Mayu).

Figure 10: A Reflection of Bonded Life by Shive (a 6th grade boy)



When *haliya/kamaiya* children complained about their uncomfortable sleeping conditions, they were referring to the winter period. Although they live and work in the subtropical southern plains of Nepal, the region, including Bayibab/Nayajib settlements can be quite cold. During the winter, there are

frequent newspaper headlines of deaths due to severe cold waves.¹¹⁸ In fact, when I arrived in Nayajib settlement for the second phase of field research in mid-January 2007, the first thing I heard of was an elderly man and a child, who had just died from cold.

If *haliya/kamaiya* children continued to receive bad food, clothes, and sleeping places, they tried changing their *kisan* at the end of the annual contract with the hope of receiving better facilities. However, they often ended up in the same unhappy situation like Samju:

I started to work when I was nine. The first few years were very hard for me. I used to remember my family and cry a lot when my first *malik/maliknia* didn't treat me well. But when I changed my employer, it was the same (Samju).

Indeed, the negative attitudes of, and treatment by, the *kisan* appeared to be one of the main reasons for children to switch frequently or in some cases quit *haliya/kamaiya* work altogether. According to a former *haliya* employer

It may be true that a *haliya* worker may not get the same food as their *malik* or a comfortable sleeping place... He gets a blanket and a mat to sleep and a cup and plate for food... Based on their past experiences, some employers don't treat their workers well because they suspect them to be petty thieves... But, these days, *haliya* workers are treated much better than 10 years ago... Also, they are increasingly working more like 'normal' wage labourer than just for food/clothes (Maratis).

¹¹⁸ Every winter, for instance, there are news headlines like this 'Death Toll Due to Cold Reaches 11' (Giri 2009a: 168).

In response to children's claim of having to sleep on the ground floor, Maratis suggests that it has to do with the lack of trust between employers and workers. It seems equally possible that children also act as an evening 'guard' for the house when they sleep near the main entrance. Regardless of the reasons, children were not happy with the isolation/discrimination they endured.

8.3.4 Scolding and Beating

Almost all children reported that they had to cope with frequent scolding. Most of the rebuking took place during the initial months of *haliya/kamaiya* contracts because they had to acquire language, work skills and manners according to the taste of their *kisan*. Among the two groups, several *kamaiya* children reported that they were badly scolded no matter how hard they worked.

My *maliknia* was really bossy. She used to scold me everyday even when I worked very hard and responsively (Lalu).

No matter how hard I worked my *maliknia* was always in angry mood... She gave me one task after another to keep me busy for the whole day... She'd still angrily scold me saying, 'You're not doing what I've asked' (Bhagu).

The above quotes from children like Lalu and Bhagu suggest that they would not really mind if they were scolded while making a mistake or not doing what they were ordered to do. However, they also felt sad when they were continuously

scolded, and some were reprimanded even when they were sick and could not work as usual.

Even if I suffered from flu or cold, my *maliknia* used to scold me by saying 'Are you here to work or to become ill?' She'd ask whether I wanted to quit the contract and go home (Mayu).

We couldn't say anything when we're hungry, tired or sick because they'd scold and say, 'You're not a *rajกุมari* (princess) to stay without working; if you don't work, you can go back' (to your family). I blame my *karma* (fate) for this bad situation (Basu).

Others had to listen to derogatory and often vulgar words from their *kisan* that they initially did not even know the meanings of.

When they scolded me, they use all kinds of derogatory terms as my description like *beshya/randi* (slut/whore), etc. I sometimes didn't even understand the meanings (Mayu).

Once I had gone out with friends, my *malik* almost beat me up saying, 'You *beshya*, where did you go with those girls, to prostitute for more money?' (Minu).

They'd call me *Tharuni*, *dankini* or *badarni* (bitch, ass, monkey, etc.) when my *malik/maliknia* were angry (Manu).

Besides scolding and name-calling, *haliya/kamaiya* children also recalled being frightened when their *kisan* used offensive terminologies in conjunction with physical threats.

I was scolded a lot... Once I was fixing the tiles on the roof, and my *malik* said 'Eh, *gadha* (ass), fix here and there... how many times do I've to tell you?' Sometimes he even threatened me saying, '*Machikni* (mother f—r), I'll throw you in the rivulet if you don't work fast and properly'... I felt sad for many days when I heard such a bad word (Darse).

'*Kukurni* (bitch), don't make me angry, I'll cut you into pieces and throw into the (irrigation) canal without any knowledge of your parents'... I was patronised (Basu).

My *malik* used to say, '*Sala kukurni*, I spared you because you're a girl... if you're a boy I'd have thrown you out or done anything'... I'd be shaken by his looks (Minu).

They'd say, 'You should be careful, *Tharuni*! Your parents have left you at the mercy of us, they won't know even if we sold you elsewhere'... It was scary and sad situation. I didn't want to work at all (Sunu).

By using abusive words with threats, their *kisan* probably hoped that children would carry out as much work as they wished, but it made them feel sad and hurt; some felt discouraged to continue working. When asked for an opinion, a *kisan* seems to agree with what *haliya/kamaiya* children have reported above.

The daily work of a *haliya* is like a dream because he doesn't know what kind of tasks he'll be asked to do the next day, and he must do everything that his *malik* orders him to do. But sometimes *haliya* (children) just play

around with their friends and don't work at all. So, they'll be scolded badly. If they don't follow the orders, they might also be slapped and forced to work (Maratis).

When employers like Maratis are willing to admit that there will be scolding and even beating if the work is not done 'properly,' it is difficult to imagine their severity of 'disciplinary' actions *haliya/kamaiya* children have to face in their working lives. Overall, however, the issue of beating seems to be more common and harsh among *kamaiya* workers than their *haliya* counterparts. It may have to do with the fact that Morang district is far ahead of its Bardiya counterparts in terms of its human development index,¹¹⁹ which may also reflect the more humane nature of the employers, but it could also be that my participants were unwilling to express many of the negative things about their employers fearing future consequences. More than half of the research participants (out of 31) reported of not just a few slaps, but also beating that could potentially cause bodily harm.

¹¹⁹ The Human Development Index (or HDI), widely used by the UNDP, combines measurement of life expectancy, adult literacy rate, gross enrolment rate, and GDP per capita to see how well a country or a region is doing in terms of overall human development. The HDI scores are fixed between 0.00-1.00 (i.e. lowest to highest). In 2009, Nepal scored 0.553, ranking 144th out of 182 countries (UNDP cit. Giri 2009a: 169). While Nepal's immediate neighbour China is on 92nd position and India on 134th position, other South Asian countries occupy the following HDI positions: the Maldives (95th), Sri Lanka (102nd), Bhutan (132nd), Pakistan (141st), Bangladesh (146th), and Afghanistan (181st). Within the country, however, 'HDI in the urban areas (0.581) outstrips that of the rural areas (0.452) in which the majority of the Nepali people live... HDI in the mountain scores lowest (0.386), followed by the Tarai (0.478) and the hills (0.512); people in the mountain are poorer than those in the Tarai and the hills. The far western and mid-western development regions score the lowest HDI values of the country' (NHDR 2004: 17). In terms of districts, Morang (an eastern district) falls under the 'range of HDI values' of between 0.500-0.549 where Bardiya (a Midwestern district) occupies 0.400-0.449 range (ibid. 18).

If the utensils were not cleaned well by mistake, my *maliknia* would hit me with a pressure (rice) cooker on my head (Basu).

I'd get 'smacked' for cooking slowly or if the meal wasn't tasty enough. Many times I was slapped on my face, and once my *malik* poured hot tea over my body... He (often) come home drunk late at night, and whenever my *maliknia* complained about my work or behaviour, then, he'd beat me up by tying my hands behind my back... I used to receive many bruises. This kind of treatment made me cry when I recalled my parents and home (Raju).

My parents didn't beat me for a single time, but my *malik/maliknia* beat me up frequently. Once I was folding (sun) dried clothes nicely, my *maliknia* screamed at me, 'Eh, *Tharuni*, why are you late, I'll squeeze your neck?' She then lifted me up by holding my neck with her both hands... From that day, I became sad and used to think whether I should just go home (Sunu).

For children like Sunu, who claimed not to be beaten by their own parents, it was a frightening experience, which was very hard to come to terms with.

8.3.5 Psychological Apprehension

Like the Nepali proverb *agultale haneko kukur, bijuli dekhyo tarsinchha*,¹²⁰ the children reported tremendous anxiety when they were physically and

¹²⁰ Literally, if a dog is beaten with burning firewood, s/he will always be frightened of lightening.

psychologically threatened. As the example below illustrates, they were often afraid of their *kisan*.

I was always busy working... I had to work fast to complete the orders of my *malik/maliknia* because I was always frightened of them shouting, screaming, or even threatening me to beat up at any time... Sometimes I even sought support from other *kamlariya* girls to finish my tasks on time (I also helped them when they were in a similar situation as me). I've already lived and worked in such a fearful situation for six years (Basu).

Children like Basu did everything they could to get things done fast and properly so that she would be spared from scolding and beating. Some children even risked their own lives to avoid being beaten or scolded. When Lalu A was telling the story below, she almost burst into tears.

In one of the rainy monsoon days, I went to cut grass with a friend. On our way to the field, we met other *kamaiya* girls, who also came to collect grass/fodder and talked for a while. I had to because some of them were my relatives as well. Then, we panicked about being late and cut the grass as fast as we could. My friend was a bit slow so her *doko* (cone-shaped basket) was still half-full when I was ready to go home. I had to help her because if she went like that she'd be scolded or even beaten... On our way back home, we had to cross a rivulet, which was narrow and quite slippery. I was a bit older than her so I jumped to the other side, but my friend's *doko* dropped in the stream and got stuck in a flooded tree roots... It was quite a scary situation. We're really late and worried about our *malik/maliknia*,

but we had to pull out the *doko*, and yet our lives were in danger because beyond that tree, is a 10-15 metre high waterfall. There was no way we could go home without the grass so I went to pull the *doko* while my friend pulled me, but the floodwater forced us downwards. We struggled fearlessly until we succeeded... I still can't believe how we survived (Lalu A).

The example from Lalu A suggests that *haliya/kamaiya* children sometimes complete daily tasks by disregarding their own personal health and wellbeing (Parker 1999, Forastieri 2002, Woodhead 2004, Reading et al. 2008). Yet, their *kisan* hardly showed any sympathy or gave them any leisure time, which appeared to be yet another reason that made them unhappy about the bonded work.

8.3.6 Work Without Leisure

As detailed in Chapter V, *haliya/kamaiya* children combined domestic and agricultural work, keeping them busy from the early morning to late evening, and the tasks they carried out were also sometimes beyond what their 'body could take it' (Basu).

I think all *kamaiya* children have to carry out heavy work like carrying goods like a porter, ploughing field, driving *tangga*, etc. (Kalpu).

We had to carry baskets or engage in many different activities that were too heavy for our strength (Lalu A).

I was okay cleaning utensils, cutting grass or looking after children, but the agricultural work was very heavy (Gitu).

Besides interviews with *haliya/kamaiya* children, my observations and informal discussions with other stakeholders like local NGOs and employers also indicated that their work is generally heavy. For instance, a *haliya* employer had this to say when I asked about the kind of work done by *haliya/kamaiya* children.

They (*haliya* workers) do the heavy work like ploughing and digging. This allows us to engage in light activities... The key advantage of keeping them is that our land won't be left barren regardless of whatever amount we've to pay... They can work fast and hard from the early morning to late evening so planting/harvesting can be done on time (Maratis).

Some of the most commonly heard unhappy moments of *haliya/kamaiya* children are as follows:

There would be so much daily work that I'd go to bed after 11 pm (and I had to get up at 5 am). Sometimes I was too tired to get up in the morning. I wasn't allowed to relax at all (Sunu).

I had to work even when I was having a meal. For example, they asked me to clean their child's excreta and the potty, and put new clothes on him. Except when I become very ill, there was no free time at all (Lalu A).

I was attending school, but I wasn't given any free time for homework. I was too busy with other work so I dropped out of the school (Anu).

I wanted my *malik/maliknia* to give me a chance to go out and walk around or play for a while in the evening. I wanted to visit my family. But they only made me work (Phiru).

I was not permitted to study. I couldn't visit my family nor meet my (work) friends. I wasn't happy about having to continue working (Kalpu).

As it was made clear earlier, most children were less bothered by the amount of work they had to do, but how well their *kisan* treated them in terms of food/clothes, sleeping places, free time, education, etc. They would have not have felt so bad about their daily lives if their *kisan* allowed them to see a sense of personal benefit (i.e. time to relax, play, meet family/friends, do homework, etc.). However, the above interview extracts suggest that many of them did not get any time to relax. If this is added to situations where they did not receive medical support when they were injured or ill, it is hard to imagine children being positive about bonded work.

8.3.7 Lack of Medical and Moral Support

They stop working for small cuts and injuries. But, because of the contract agreement, we've to continue paying, and provide them treatment as well (Maratis).

This quote suggests that *haliya/kamaiya* children receive medical attention even if they become ill, but the overall data showed that this is not entirely correct. Except for a few children, who occasionally suffered from problems like gastrointestinal pain, pneumonia, and typhoid, none of them reported of any major or long-term illness. So they seemed to be quite sad when their *kisan* did not provide treatments for relatively minor illnesses.

I didn't suffer from major illnesses, but once I had gastrointestinal problem I had to come back home... My parents had to borrow money to buy medicine (Sague).

Once, I was suffering from pneumonia, but *malik/maliknia* didn't pay any attention towards me... When I asked for medicine, they'd shout at me saying, 'Did we bring you here to fulfil all your demands?' I didn't have money to go back to my family... If my friend (another *kamaiya*) didn't help me, I don't know what would have happened to me (Raju).

It appears that the idea of going back home in itself was distressing for *haliya/kamaiya* children because there was not enough food and their parents could not afford medical expenses. In such a situation, they either let their illnesses/injuries heal naturally or applied whatever 'medication' they could find.

I fell down from the tree while collecting fodder and was badly injured... I didn't get any support. My wounds were left to heal naturally (Binu).

If I received cuts and bruises or even twisted my hands/legs when collecting grass or fodder, I wouldn't get any medicine (Mayu).

Since my *malik* didn't give me any medicine for my cuts or injuries, I used to apply kerosene to my wounds and tie with old clothes (Darse).

If I was injured, my *malik* would ask me to go home, but my family didn't have anything to help me (Katte).

In addition, if children were 'badly' scolded and/or beaten, they would be frightened even to show their illness/injuries to their *kisan*.

Once I had cut my hand, but I was afraid to show it to my *maliknia* (Samju)

If I got injured I'd help myself. I was afraid of my *malik* saying 'go away from here' (Bidhe).

If the sickle cut my fingers, I'd put dust on it to stop bleeding. I was just too afraid to tell my *malik* (Lalu A).

Children like Lalu A also resorted to using dust because they were afraid to ask their *kisan* for a plastic bandage, even though it would cost only a few Nepali Rupees.

8.3.8 Sexual Mistreatment

As far as *haliya/kamaiya* girls were concerned, some of them not only had to sustain scolding and slapping, but also had to face sexual mistreatment. Previous studies have shown that girl (domestic) workers worldwide face a considerable risk of sexual abuse (Black 1997, Blagbrough and Glynn 1999, Ennew et al. 2003), which is why advocacy groups persuaded the Nepali government to include domestic work as one of the worst forms of child labour. During the course of my research, my female assistants gained the trust of some girls, who felt confident enough to talk about their experiences of sexual abuse. As the following stories illustrate, their male employers often touched them indecently.

Once I was called to fix the mosquito net (for my *malik/maliknia*) and was molested by my *malik*. Then, I was warned not to talk to anyone in his family. Otherwise, 'He'll make me disappear from this world.' At that time, I obeyed his threat because I wasn't sure how others would look at me if I revealed it... I asked my parents to send to another place at the end of my annual contract (Sunu).

While I'd be sleeping alone in my room, my *malik* would come in. He'd start persuading me to let him sleep near me. He'd offer me money, but I refused... I think my *maliknia* knew about his behaviour towards me,

but she didn't react even when I talked to her about it... I was very distressed, but couldn't do anything other than wishing to change to a 'better' *kisan* (Kalpu).

In many cases, these girls seemed to have tolerated such non-consensual sexual advancement made by their male employers for the sake of supporting their families. Although it was impossible to know about the attempted or actual cases of rape, a few *haliya/kamaiya* girls were willing to speak when they were asked to tell any stories that they had heard.

Last year, we heard that a Tharu *kisan* raped a 15 years old *kamaiya* girl, and forced to her get married with someone else when he found out that she was pregnant... But the girl told other people about the rape only after her husband beat her up and forced to leave him... Although the villagers caught the *kisan* and made him 'pay a fine,' the girl was probably so ashamed of herself that she has disappeared from the village ever since (Lalu A).

Lalu A, who had worked as a *kamaiya* since the age of nine, further said that 'it's not easy for girls to open up their internal pains (of sexual abuse) because they'll only be stigmatised by their community instead of punishing the culprit.' After almost half year in the field, one of my female research assistants had become a close friend of a girl, who had recently left *kamaiya* work after six years, and was able to learn about the rape ordeal she had faced when she followed her *maliknia's* order.

Once she asked me to go a kiosk to buy some items. I replied, 'I'm scared to go to the shop at night' (because I had to walk at least 10 minutes). She shouted at me so I had to follow her command, without

any complaint. As I went to the buy things, I was raped in the dark. I came back running to inform my *maliknia*, but I couldn't describe the incident. I had bruises and my clothes were soaked with blood. But she told me to go to sleep instead of helping me... The next day, she accused me of going out to sleep with a man. She even suspected that I was prostituting to earn more money... No one believed my ordeal. I felt really humiliated, as I didn't know what to do... I still get flashbacks of what happened (Raju).

It is difficult to imagine how Raju continued to work for the same employer for another year. She was unable to seek medical or psychological support from anyone even when she came back to her family in Nayajib settlement, but she informed my assistants that she was coping and was not planning to become a *kamaiya* again.

8.4 Chapter Summary

This chapter offered a detailed account of the negative and positive impacts on the health and wellbeing of *haliya/kamaiya* children. I have used Hobbs and McKechnie's Balance Model (1997, 2007) although some variables used in the context of Nepal are different. For instance, Musahar/Tharu children work primarily to ease economic hardships in their families so they are unlikely to perceive the idea of autonomy or self-reliance in the same way as a child worker from Europe, even if they talk about learning practical and interpersonal skills from their work for the future. Likewise, even though the Balance Model is

helpful in identifying positive and negative aspects of bonded work, it is unable to establish the long-term impact of work on their physical and psychological development. Hobbs and McKechnie (2007) have acknowledged this problem, but stress that 'appropriate instruments for measuring the impact are not yet available' (ibid. 230). Alongside these shortcomings, advocacy groups may criticise the Balance Model for its attempt to emphasise the positive aspects of *haliya/kamaiya* children's work while it is outlawed by the national and international legislations. However, as this chapter showed, children do analyse both the costs and benefits of their work. Within this limited choice, Musahar/Tharu children's understanding of bonded labour varies tremendously, but, overall, they believed that *haliya/kamaiya* work has comparatively more positive outcomes than negative ones.

CHAPTER IX

Bonded Labour in Nepal: Conclusions and Issues on Researching Haliya/Kamaiya Children's Lives

9.0 Introduction

I have thus far provided an account of children's assessments of the positive and negative aspects of *haliya/kamaiya* practices, which are different to those put forward by those advocacy groups demanding outright abolition of bonded labour. This chapter first makes a summary of the preceding chapters to remind the reader about what has been analysed and discussed so far. It then recalls the research questions about bonded labour proposed at the beginning of the thesis in relation to the theories of childhoods and the children's rights as promoted by the UNCRC 1989 and the ILO Convention No.182. In elaborating on the research process and the ways in which I have analysed and presented my fieldwork data, it also presents the contributions and applications of this extended study. The chapter concludes after recommending further research directions.

9.1 A Summary of "The Bonded Labour System in Nepal: Life and Work of Children in Communities"

Both personal as well as professional reasons encouraged me to carry out this qualitative research on (bonded) child labour. During my childhood, I was a

worker (plus a student) in my remote village, but I prepared myself to become a child labour researcher in my adult life. In the current study, as noted in Chapter I, my research questions sought to explore the socioeconomic conditions of bonded labour practice in Nepal, and the way it specifically affects children and their understanding of such practices. It was equally important to discuss the *haliya/kamaiya* terms and definitions, and the language usage so as to clarify the objectives of the thesis (see Appendix for details about the local terms). For instance, bonded labour is often defined as a contemporary form of slavery by many NGOs and some researchers, but I have refrained from using such a term because not everyone, including ILO, believes 'slavery' being the right term to describe bonded labour (cf. Robertson and Mishra 1997, Bales 2004, van de Geld and Kooijmans 2008). Most importantly, my participants did not appreciate such a negative tone even if the fact that their working environments were often harsh (for instance see Chapter V).

As shown in Chapter II and III, it was essential to discuss relevant literature in order to clarify the present-day debates concerning childhood and child labour, which originate from Europe and North America. The concepts of child, childhood, and child labour and work have been promoted to other societies as universal ideals by way of colonisation, migration, missionary activities, economic and political globalisation as well as by the rapid expansion of international NGOs. In recent years, however, social researchers have emphasised the heterogeneous nature of societies and the ways in which children's social competency, transitions from childhood to adulthood, as well as sociocultural values and expectations of parents and the community, vary across

different countries, social classes, and genders (Arnett and Tober 1994, Kağıtçıbaşı 1996, Woodhead 2001, Montgomery 2009). Nonetheless, the Euro-American concepts and ideas about child labour have also been transformed into international legislations and conventions such as the UNCRC and ILO Convention No.182, and subsequently participating states are expected to abide by such rules and regulations. In foreign aid dependent countries like Nepal, advocacy groups, and the urban elites have not only accepted the Euro-American childhood ideals for themselves, but are also enthusiastically campaigning to promote them on a nationwide scale (Nsamenang 1999, Behera 2007, Haider 2008). The printed and audiovisual media in Nepal also has endorsed many aspects of Euro-American cultural and political values, including the notion of what constitutes an ideal (middle class) childhood, and this has now reached even some of the most remote villages in the country.

Meanwhile, the ILO-backed trade unionists have joined hands with advocacy groups and the media to demand the complete abolition of child labour in Nepal even though they have often failed to consult with those whose lives are/will be affected (Noguchi 2002, Invernizzi and Milne 2002, Hanson and Vandaele 2003, Estacio and Marks 2005). In the available literature, it is not difficult to notice that even those who campaigned to eliminate *haliya/kamaiya* practices were paying little attention to children's voices and perceptions about their daily circumstances (Woodhead 1998a, 1999a, James 2007, Komulainen 2007, Lundy 2007). This major gap in the research literature became an important motivating factor (besides my own childhood background) for me to explore everyday world of *haliya/kamaiya* child labourers from a western and eastern Tarai districts of Nepal (see Chapter III).

As discussed in Chapter IV, I attempted to carry out the first major in-depth study on bonded labour issue, but it has increasingly become invisible and inaccessible after the Government of Nepal outlawed it in 2000 and 2008, respectively. Therefore, I had to prepare detailed research methods and organise fieldwork logistics very carefully in order to engage in an extended period of study in Bayibab and Nayajib settlements of Morang and Bardiya districts, respectively. I had to face several challenges in the field, which had to be managed as they appeared during three phases of the field study (for details, see later section entitled 'Reflections on Methodological Challenges...' and Appendix 4). The phase-wise data collection was important for the fact that I aimed to make a (detailed) thematic analysis to capture various important aspects of their daily lives.

As Chapter V illustrates, it was crucial to explore children's lives before and during the *haliya/kamaiya* labour contract, and compare those with what their parents did before they were declared 'free' in 2000 and what they have been doing afterwards. This way of analysing field data showed that the traditional *haliya/kamaiya* systems in which the entire family worked as one unit has been effectively broken since 2000. Also, Musahar/Tharu families no longer live with their employers, and most adult members do not become *haliya/kamaiya* labourers. At the same time, when their children accept bonded contracts their daily workloads dramatically increase, and capturing this abrupt change in their everyday world enabled me to gain a better understanding of their attitudes towards bonded labour. My analysis of the field data made it clear that since children had to engage in similar tasks to those undertaken by their parents in the pre-2000 era (i.e. all sorts of household and agricultural activities), it made

them see themselves as a *haliya* or a *kamaiya* instead of domestic workers, babysitters or shepherds (see Chapter V for details).

Chapter VI showed that attending a formal school while living with their own families was still difficult for Musahar/Tharu children. In an ILO sponsored report, Sharma et al. (2001) had noted that around 30 percent children from freed *kamaiya* families are attending school (no one did so when children lived in *bukura/kothar* during the pre-2000 period). If one disregards school enrolment data from the government or NGOs, however, it is possible to ask whether this was, in fact, the reality of children actually attending the classes. In the Nayajib settlement, for instance, I found that the vast majority of children are enrolled, but their school attendance rate is very low, especially for those children aged 10 and above. My data suggests that they must earn income for their families as their parents alone are unable to support a large household. In the post-2000 *haliya/kamaiya* contract, therefore, the promise of education appears to have become a crucial factor for both Musahar/Tharu parents and the *kisan* families. It allowed them to bypass potential legal problems, as well as the opposition of advocacy groups. While making a detailed account of children's personal reasons for accepting bonded contracts, it became evident that children (and Tharu children, in particular) were genuinely interested in studying, but their employers saw the promise of education primarily as a ruse to hire them. Although parents also would have preferred to educate their children, earning enough household income was still their top most priority. For all three parties (i.e. *kisan* looking for cheap workers, and parents and children hoping for some kind of steady income and education), the bonded labour contract still appeared

to be more beneficial than a few available alternatives like *majduri* (see Chapter VI for details).

Chapter VII and VIII extensively discussed how Musahar/Tharu children analyse their life-worlds as bonded labourers. Various advocacy groups describe *haliya/kamaiya* practices as a form of modern slavery in which people are treated inhumanely with little regard for their present or future (INSEC 1992, Robertson and Mishra 1997, Lowe et al. 2001, Bales 2004, 2005). My Musahar and Tharu participants disagreed with this kind of generalised labelling because they were well aware that the employment opportunities in other areas were often worse. Even before the government banned bonded labour in 2000, the majority of people were not in generational bondage, and even if they were indebted, they were able to change their employer by shifting their debt to the new employer (Sharma et al. 2001, Hatlebakk 2004, Kvalblien 2007). Although this situation appears to be typical of *haliya/kamaiya* practices, it can happen to any other landless families if they fail to pay their loans. In the post-2000 era, the Nepali government cancelled all outstanding debts and encouraged freed bonded families to live on their own by providing a piece of land (two to five *kattha*) to each household. This not only removed them from *bukura/kothar*, but also changed the potential scenario of lifelong bondedness. This has meant that, today, most *haliya/kamaiya* children are able to dream about different future prospects if and when they finally terminate their bonded contracts with their *kisan*, but until such possibility, if at all, comes up they must (and, in fact, are willing to) accept the bonded work. Indeed, Musahar/Tharu children were generally positive about the *haliya/kamaiya* work since they were able to learn social skills and other languages (besides earning an income for their families

and possibly gaining an access to education). Although nearly all participants wished to be trained vocationally (e.g. in sewing, carpentering, driving, etc.), I again talked to them at the end of fieldwork, they were worried that the most likely options for them were continuing *haliya/kamaiya* work, or seasonal labour in the neighbouring villages or moving elsewhere as unskilled labourers (see Chapter VII for details).

As advocacy groups demand immediate action to eliminate the unconditional worst forms of child labour, which includes bonded labour practices, it has become a general practice to pinpoint negative impacts of *haliya/kamaiya* work, but harder to note the positive ones. However, Chapter VIII makes it abundantly clear that even when children are working in the worst situations, there may still be as many rewards as costs. In this regard, I borrowed the Balance Model from Hobbs and McKechnie (1997, 2007) to analyse Musahar/Tharu children's perceptions of the positive and negatives aspects of bonded labour vis-à-vis other alternatives available to them. In doing so, the Model made it clear that how good or bad children constructed their life-worlds to be at home and away depended on multiple factors, including the possibility of attending school, the relationship between their family and *kisan*, and their future prospects. The findings showed that being able to help their family was the single most positive thing for Musahar/Tharu children and that this factor took precedence over whatever obstacles they had to endure as bonded labourers. In fact, for many, the outside options (i.e. daily wage labour in and around the villages or seasonal unskilled work elsewhere) were worse than being a *haliya/kamaiya* labourer.

9.2 Revisiting Childhood and Children's Competency in the Nepalese Context

This research was positioned with a theoretical framework that supports the 'construction of children as human subjects who not only move between different social positions, but also, in complex ways, negotiate vulnerability, dependence, autonomy and agency' (Abebe and Kjørholt 2009: 177). That is, even if the biological basis makes children noticeably different from adults (as they follow a foreseeable norms of physical development), not 'all children have the same sort of childhood and not all people or societies share the same view about what childhood is' (Williamson 2008: 1). In the Euro-American societies, this line of reasoning has often been credited to the Russian psychologist Lev Vygotsky, who 'began to move intellectual enquiry towards the study of children's development in the context of social and cultural activity' (ibid.). Following theories of Vygotsky and Philippe Ariès' classic book, *Centuries of Childhood*, social researchers increasingly became critical of the thus far dominant development psychology, including Piagetian assumptions of child development, which generally argued that children follow fairly rigid stages of physical and cognitive maturation. By the late 1980s, many social researchers were claiming a 'paradigm shift' in studying children and childhood in the Euro-American societies (James and Prout 1997, James et al. 1998, Christensen and James 2000, Prout 2005, cf. Ryan 2008). This movement is often referred to as the 'new social studies of childhood' whose central concern is to study how adults and other sources of authority stifle or encourage children's agentic capabilities of active individuals capable of making informed choices and

decisions on their own (Williamson 2008). Its proponents make the social researchers responsible for uncovering distinctive perspectives and concerns of children without diluting from the views of adults. Within the Euro-American academic circle, however, the dichotomous constructions of children as autonomous and competent human beings, on the one hand, and dependent and vulnerable human beings, on the other, have not been out of controversy. Among others, argue Abebe and Kjørholt (2009: 177), this great contrariety between theory and practice 'represents an oversimplification of a variety of different and nuanced perspectives within contemporary developmental psychology, which approaches 'child development' from the viewpoint of society and culture' (see also Woodhead 1999b, 2009). The authors go on to stress that

It risks the danger of overlooking how competences – for adults as well as children – are relational in that they are developed through participation in social practices in particular cultural contexts and enmeshed in a web of relations with others (ibid.).

There are yet other scholars who are critical of the 'new social studies of childhood' (e.g. Lee 1998, 1999, 2001, 2005, King 2007, Ryan 2008).¹²¹ In fact,

¹²¹ The 'new social studies of childhood' has also been contested for the fact that its proponents allegedly emphasise too much on children's agency and competency to manage their own affairs. For instance, the criticisms of King (2007) are presented in the following way: By creating a new "image of childhood autonomy, competence and agency", King argues, the new social studies of childhood claims access to a social reality, which corresponds to "the perceptions, beliefs, capacities, and understandings of children themselves". On the contrary, he argues, all versions of social reality are products of whatever social system is being used to examine it. In other words, the active and agentic child that is ostensibly the *focus* of the new social studies of childhood is in actuality a *product* of the new social studies of childhood (Williamson 2008: 4, original emphasis).

King (2007: 204) contends that ‘there is no possibility of society gaining access to what children *really are* or where their needs or interests *really lie* and even less possibility of gaining access to *what the future really holds for them!*’ (original emphasis). By saying so, what King (2007) appears to be pointing is that social research is shaped by researchers’ own childhood experiences, which in turn prepares them to conceptualise what childhood is and transmit it to the academic disciplines as a part of their own personal and cultural capital of their respective field of expertise. In a similar vein, it is perhaps plausible to argue that even though children’s voice has increasingly become a powerful slogan in the Euro-American societies (James 2007, Komulainen 2007, Lundy 2007), it is also socially constructed just like the childhood itself.¹²²

As far as the 5.6 billion (out of 6.8) people of the so-called developing world are concerned, they have been constrained in accepting whatever models of Euro-American sociopolitical theories and practices that are invented and are propagated around the globe as a part and parcel of the Western governments’ foreign aid, and/or through the various international organisations. Many researchers have pointed out that the current universalisation of the Euro-American childhood ideals by way of UNCRC and ILO legislations is nothing new since it is rooted in ‘the colonial heritage, and the general Euro-American

¹²² It is in fact also a political construct of the Cold War era, in which the political hostility that existed between the Soviet bloc countries and the U.S.-led Western powers from 1945 to 1990 also created ideological competitions to dominate the societies around the world. For instance, in 1979, ‘the International Year of the Child was celebrated and a UN working group that had been proposed by the Polish government (then aligned to the Soviet Union) began to prepare a draft Convention on the Rights of the Child’ (Tomás 2008: 3). However, with the sudden collapse of the Soviet bloc, it became possible for the Euro-American ideals to be imposed as superior than anyone else’s, which is clearly reflected in the UNCRC (Nieuwenhuys 1998, White 2003, Jones 2005, Ryan 2008).

dominance in global academic research' (Nieuwenhuys 2009: 147). In fact, the rapid economic (and by extension political) globalization particularly after the 1990s has further secured their position to often impose unilateral policies and programs on the poor and foreign aid dependent countries like Nepal (Burman 1994, 1996, Blanchet 1996, Boyden 1997, White 2003). The extent of Euro-American domination is so firmly established among the ruling elites of the developing world that they make it appear as if they are also willingly imitating the Euro-American educational and sociopolitical organizations for their own societies. For instance, in reviewing a recently edited book entitled *Childhoods in South Asia*, Balagopalan (2008) accuses many of the authors for their uncritical embracement of the Euro-American childhood ideas. The weaknesses found in one of the few books meant to cater South Asia's childhood research, has led the reviewer to make the following elaborate remarks:

The difficulty in studying non-western childhoods is the fine line that one needs to tread between circumventing the moral yardstick of a normative childhood as the universal referent, while making sure that one does not inadvertently privilege some form of cultural relativism. While no longer committed to a universal norm, we still have to continue to struggle with ways in which we are going to describe lives different from our own... (We need promote a research that) characterises our discursive success in terms of the abandonment of the moral lens of a universal norm, but it simultaneously highlights the still murky uncharted question of should these lives then remain as isolatable examples of different ways of living. The latter signifies that within which there is not only the absence of the universal norm but more importantly the failure to locate lives within larger historical processes of sociopolitical and cultural change. In rightly

giving up on a moral lens, it is crucial that we do not abandon the trace of the ethical as well. The realm of history by serving to locate these lives within larger processes offers a possible ethical engagement (which is still lacking in South Asian childhood research)' (Balagopalan 2008: 575).

Balagopalan (2008) has made very important points for establishing locally suitable childhood study tradition to include the realities of diverse people and cultures of South Asia. That is because, as I discussed in this thesis, the majority of South Asian children, who have to work, appear deviant cases of the prevailing theories of childhood promoted in the region. My own childhood experience in a remote village of Nepal shows that I was old enough to work with the adults, especially men, but was not considered fit to socialise with them; whenever not working, I had to accept my status as a child by being with other children of my own age (see Giri 2007a). A few available reports, which make a footnote representation of Nepalese children, also argue that they are seen as 'small adults' in terms of household responsibilities, but at the same time, they might not be seen as an important part of the social arena (Bista 1991, Skinner et al. 1998, Baker 1998, Onta-Bhatta 2001). My exploration of bonded child labour in Nepal, however, gives a detailed understanding of how Musahar and Tharu children, who work as *haliya* and *kamaiya* labourers, are forced to live a paradoxical life (i.e. their belief that they must sustain any difficulties to economically support their families vis-à-vis their struggles to find a better employers in terms of payments, treatments, and in many cases, even schooling). As these children are not in position to spare themselves from fulltime work, their

Life is different from, and lacks the essential ingredients of, the normative and urban, middle-class childhood: full-time schooling, being inside the home, being dependent on adults for provision and becoming vulnerable to environmental and social risks by being 'out of designated children's spaces' (Abebe and Kjørholt 2009: 175).

In fact, children working as bonded labourers have to experience a childhood that is not only different from the children of urban middle class families, but also differs from within the rural communities, and, moreover, often within their own castes and ethnic groups. For instance, my participants working as *kamaiya* child labourers belonged to Tharu ethnicity, and were not only employed by other castes/ethnicities, but also by the relatively rich families coming within their own group; their employer's children, who were younger than them, were taught to act as masters to treat them like slaves (Blanchet 1996). Nonetheless, as Balagopalan (2002, 2008) notes, even if one finds such diversities of childhoods in countries like Nepal, the governments and elites of the region, bowing to the pressure from the developed world, also leave no choice for the local researchers other than to accept the Euro-American childhood ideals. Meanwhile, although only the children of small minority elites of the developing countries may be experiencing such a childhood (Escobar 1995, O'Neill 2003), as an ideal itself seems to have 'a significant material impact on the lives of young people around the world' (Ansell 2005: 23). This has allowed the Euro-American conceptualisations of childhood to be globalised in such a way that it aspires to even remote village children of Nepal even if it has no universal subscription (Burman 1995, Boyden 1997, Skinner et al. 1998, Liechty 1995, 2002).

For reasons like the ones mentioned above, one has to forcibly accept that as long as childhood studies remain Euro-America centric (Nieuwenhuys 1998, White 2003, Jones 2005), and other alternative research paradigms are absent. Within this Euro-American domination, the 'new social studies of childhood' appears to be one of the few theoretical frameworks available for social researchers to explore the viewpoints of working children as possessing a certain level of agency and competency. It has also gained recognition among child-centred research circle, and national and international NGOs (e.g. Plan International, Save the Children Alliance, UNICEF) even though King (2007) 'condemns "blatantly instrumental use of theory" to bolster claims made in the name of children's rights activism' (Williamson 2008: 4). Its express reference to exploring children's lived life-worlds, beliefs, capacities and understandings from their own viewpoints has also featured in international legislations. For instance, the 'new social studies of childhood' and UNCRC 1989 are considered as sharing 'a commitment to the realities of children's lives, and to scrutinising the world of children as a microcosm of larger cultural, social and economic forces (Williamson 2008: 3). Despite having achieved a near universal recognition from the members of the United Nations, this is not to claim that the UNCRC itself is uncontroversial (Jones 2005, Ryan 2008). According to some scholars, one of the central assertions of UNCRC regarding children's capabilities to make decisions on things that affects their lives has 'sparked intense debate on how the 'agency' and 'competency' of children in both the global North...and South...can be explored' (Abebe and Kjørholt 2009: 177). In terms of researching childhood and children's issues, others have gone even further to argue that

Children should be studied for and in themselves, not simply as a means of

understanding the adult world, or of addressing its concerns; and that researchers should be attentive to the peculiarities and specificities of individual childhoods as geographically, historically and socially situated... it is not sufficient to carry out research on or about childhood; childhood researchers must research for and with children... It is no longer enough to simply reposition children as the subjects – rather than objects – of research; children should be engaged as participants in the research process, if not as researchers in themselves (Gallacher and Gallagher 2008: 500).

Although children as participant in research process or as researchers in themselves is yet again a Euro-American invention that is more feasible in wealthy (middle class) developed world than among largely illiterate children of rural Nepal, this extended fieldwork-based research tried everything to treat *haliya/kamaiya* children as research subjects and also allowed them, whenever possible, to participate in the various stages of research process. The challenges of conducting a research from the 'new social studies of childhood' perspective is also reflected in the section entitled 'Reflections on Methodological Challenges...'

9.2.1 Reflections on the Use of Balance Model in the Context of Nepal

Hobbs and McKechnie (1997, 2007) proposed a multidimensional analytical tool called the Balance Model in order to assess the negative and positive variables associated with children's work. The authors claim that they came up with this model after realising a few shortcomings in the Continuum Model of White

(1996), which can be summarised as follows:

The continuum model has at one end the intolerable forms of child labour. These would be unacceptable under any circumstances, such as bonded labour and child prostitution. Moving further along the continuum, hazardous and detrimental forms of employment are found but that can be changed into safer or less harmful forms of employment through improving health and safety standards or reducing the number of hours of work. The next step along the continuum is referred to as neutral work; forms of employment which are neither particularly harmful nor potentially beneficial to the child. Towards the end of the continuum, positive or beneficial forms of employment are found (Hobbs 2006 cit. Giri 2009: 169).

Although the Continuum Model seems to have played a large part in formulating the ILO Convention No.182, Hobbs and McKechnie (1997, 2007) argue that rather than children's work stretching from more objectionable and harmful to acceptable and beneficial, the same types of work, even if it appears intolerable, may still have both negative and positive outcomes – and it was not explicitly stated by the Continuum Model (Hobbs and McKechnie 2007: 226-27). In proposing their Balance Model (see Table 3 in Chapter VIII), the authors also hoped that researchers could do away with conceptual debates about what is child 'labour' and what is child 'work.' Based on their extensive research, the authors presented a broad list of costs and benefits of children's work, but still maintained that these variables are not exhaustive and research in different environments and/or countries may produce a different type of Balance Model. Unlike the Continuum Model that seeks to ban the work that is intolerable,

Hobbs and McKechnie also wanted to encourage researchers to use a locally suitable model in order to consider the welfare of working children by talking to them and policymakers, and, moreover, to convince policymakers to talk to the child workers to understand the negative and positive aspects of their work and the consequences of abrupt policies. Since the early 1990s, for instance, owing to the pressure of local and international organizations (and in some cases even of Euro-American governments), Bangladeshi, Moroccan, and Mexican children have been suddenly removed from their work without putting a proper long-term rehabilitation program in place, and many of these 'freed' children ended up in even worse situation than before (Haider 2008). From the Balance Model viewpoint, as researchers found out, these children would have been better off if some features of the work were changed to increase the benefits relative to the costs (ibid. 229).

In Nepal, the use of bonded labour, which the advocacy groups often call modern slavery, has been outlawed since 2000, and the government as well as various NGOs have been trying to rehabilitate the 'freed' families. However, the practice continues, especially recruitment of children as *haliya/kamaiya* labourers has increased in the post-2000 period. This led me to ask questions like why do freed parents and children continue to work even if they are forbidden to do so, and to what extent are national laws and international conventions (e.g. the UNCRC 1989, ILO Convention No.182) able to guarantee their rights to spend a 'normal' childhood? In seeking plausible answers, I decided to apply the Balance Model, which I felt suitable for my research objective, to examine Musahar and Tharu children's constructions of *haliya* and *kamaiya* practices in Morang and Bardiya districts, respectively. In analysing the large volume of data collected over the

period of a year, I discussed with my child participants to create the Balance Model based on their own viewpoints. In doing so, it was possible to notice that many of the variables that were presented by Hobbs and McKechnie (1997, 2007) in their model were also relevant even in the case of bonded child labourers in Nepal (see Table 4 in Chapter VIII). Among the different aspects, the issue of caste discrimination appeared to be the most distinct feature of bonded labour, but it is possible to argue that even if caste system does not exist in Euro-American societies, other forms of discrimination (e.g. class, ethnicity, race) do often act as costs to the children, who have to support their families. For instance, the Roma children in Ireland preferred to beg than to go to school not just because they were making economic contributions to their families, but also because they were 'subjected to ethnic abuse' (Hobbs and McKechnie 2007: 229). Similarly, among those Musahar and Tharu children, who were highly motivated to study, did not mind all kinds of difficulties, but others used the label 'bonded labour' in such way that it carried personal and social stigma, and hence discouraged them to succeed.

In terms of priorities identified by *haliya/kamaiya* children, however, there were a couple of differences with Hobbs and McKechnie's Balance Model. Firstly, the majority of my Musahar/Tharu child participants, who were sent by their parents, initially said that they would not like to work as bonded labourers, but they were able to contextualise their circumstances given the fact that doing nothing was not an option for them. Thus, they talked about maintaining a good family relation as being more important than health and safety issue at work, and even among those *haliya/kamaiya* children, who had a difficult family relationship, they still tried to be in touch with their (extended) family members.

Secondly, the majority of Musahar/Tharu children accepted bonded labour contracts to get food, clothes, and family income so rather than feeling a strict sense of personal autonomy, they took pride in being able to help their families because it is an indisputable family duty in the Nepalese cultural context. It may look controversial, but some girls seemed to have even 'tolerated a mild form of sexual abuse' (e.g. non-consensual touching), if it can be termed as such, and continued working for the sake of their families. Thirdly, if Musahar/Tharu children were able to attend school, they saw it as a way to further improve the social image of their family and often the entire community. This means that my participants described their situations in relation to family welfare (collectivism) while the variables used by Hobbs and McKechnie, though not intended as such, may give the impression that working children take pride only for themselves (individualism).

Of course, the importance of costs or benefits depended on multiple factors that *haliya/kamaiya* children analysed in relation to particular situations and the availability of other opportunities, and naturally their expectations also changed with their age and experiences. For instance, a 9 year old *haliya* girl was content with her situation when she received better food and clothes than at her parental home, but a 16 years old *kamaiya* boy appeared to be less happy when he was unable to learn various skills (language, manners, vocational training), and to build some sort of social network in order to guarantee that he will be able to fall-back on his (former) employers in the future as well.

Given the current state of Musahar/Tharu children's lives, these various direct and indirect benefits, noted above and also in Chapter VII, outweighed the costs they had to endure. Yet, critics are likely to see at least two fundamental

problems with the use of Balance Model to draw such a conclusion. Firstly, by trying to show positive and negative aspects of bonded labour, it stands as a barrier to the ILO Convention No.182, which has been widely accepted and also is ratified by the Government of Nepal, demanding an immediate elimination of bonded labour practices. Secondly, the Balance Model is unable detect the long-term impact bonded work has even though I have provided examples of *haliya/kamaiya* children's concerns for their physical and psychosocial health, including a number of cases of sexual abuse. It does not yet have any tools to start measuring the extent of such problems, which in fact should be the priority of any children related research (Woodhead 2004). Hobbs and McKechnie (2007) have also acknowledged that there are no established rules to measure the health impact on working children. Nonetheless, as Chapter VIII makes it clear, the Balance Model provides a useful analytical tool to present children's world of work in such a way that it raises questions about the success of prohibitory provisions imposed by the national and international laws and treaties.

9.2.2 Revisiting Child Work, or Child Labour Debates at the Policy Level

There has been a tendency among advocacy groups to term all kinds of activities carried out by the Nepalese children as child labour. This may be a useful definition from the viewpoint of awareness raising campaigns, but is unhelpful in terms of an effective policy formulation, and from the perspectives of working children themselves. When people talk about child labour or work, they normally refer to the 1973 ILO Minimum Age Convention No.138, which stipulates that no

children should be working unless s/he has completed compulsory schooling, or at least not before the age of 15 (14 years in some exceptional cases). As long as work does not interfere with formal education, the Convention allows 'light work' for children aged 13-15 in developed world and aged 12-14 for developing countries. However, all children under the age of 18 are prohibited from engaging in work that would be harmful to their health, morals, and safety (which is in fact also endorsed by the ILO Convention No.182). Despite a negligible rate of ratification by the United Nations member states, the Convention No.138 instantly became a campaign mantra for advocacy groups, and ILO also allied with various partners (e.g. trade unions, and other NGOs) to press for total abolition of child labour. However, social researchers, especially from developing world, increasingly argued that it was based on Euro-American middle class childhood ideals, and hence, it miserably failed to capture the realities of the vast majority of the poor/rural children. After the promulgation of UNCRC in 1989, which saw children from a human rights perspective to encourage their voices to be heard, ILO also started to realise that the Convention No.138 and its total abolitionist stance was not working. In 1995, for instance, its own research showed 250 million child labourers worldwide. When social researchers as well as some NGOs further pointed out that the forceful evictions of working children in countries like Bangladesh and Morocco were causing more harm to them (and their parents) than good, ILO was effectively pushed into a kind of checkmate position, forcing it to once again reconsider the campaigns against child labour (White 1996, Woodhead 1998, Myers 2001, Bourdillon et al. 2009). Meanwhile, as research concerning working children proliferated, various policy recommendations were proposed by distinguishing

child labour and child work in the following ways.

By Child Labour they [the researchers] meant all of the self-evidently deplorable types and conditions of work which campaigners throughout the world sought to abolish. On the other hand, they acknowledged that some children, especially in economically advanced countries, were employed in acceptable ways in activities which might actually benefit them. This they referred to as Child Work (Hobbs and McKechnie 2006 cit. Giri 2009a: 48).

Likewise, the 1997 report of UNICEF argued that 'to treat all work by children as equally unacceptable is to confuse and trivialise the issue and to make it more difficult to end abuses' (UNICEF cit. Giri 2009a: 48). The report went further to stress that 'it is important to distinguish between beneficial and intolerable work and to recognise that much child labour falls in the grey area between these two extremes' (ibid.). Around the same time, the United Nations Inter-Agency Working Group on Child Labour (IAWG-CL) was holding series of workshops in which some authors (e.g. White 1996, Feinstein 1997) proposed the Continuum Model to distinguish tolerable (work) and intolerable (labour) like UNICEF did (Hobbs and McKechnie 2007: 226). As discussed in Chapter II, the ideas from this Model became visible in the 1999 ILO Convention No.182 when it states that it will give 'priority to combating the [unacceptable] worst forms of child labour is simply a matter of doing first things first' (ILO 2002: 21). Perhaps for the first time in its history, ILO also stated that 'whether or not particular forms of work can be called child labour depends on the child's age, the types of work performed, the conditions under which it is performed and the objectives

pursued by individual countries' (ibid.). From the policy point of view, ILO Convention No.182, which is ratified by nearly all ILO member states (Giri 2009a), became the most promising legal document to immediately abolish the intolerable/unacceptable/worst forms of child labour, and also to act as 'an entry point to promote and facilitate further action to attain the ultimate goal of eliminating all child labour' (ILO 2002: 21).

The foreign-aid depended Government of Nepal was also quick to ban the intolerable bonded labour in 2000, and after ratifying the ILO Convention No.182 in 2002, it has been cooperating with the ILO-IPEC aiming to uproot the use of *haliya/kamaiya* practices. After nine years, however, the bondedness, especially of children, has continued, and as my in-depth study shows, the distinction between work/labour, and tolerable/intolerable does not seem to make a huge difference to the Musahar/Tharu children. Thus, even when we recognise the importance of ILO Convention No.182 and the Continuum Model, they still appeared 'insufficiently analytical' in terms of allowing children to express their daily circumstances in which they are compelled to live and work. By using the Balance Model of Hobbs and McKechnie (1997, 2007), which tries to do away with the work-labour dichotomy, therefore, this study may have made a better analysis of the good and bad aspects of bonded work. It has particularly permitted the *haliya/kamaiya* children to present their views and priorities in a crystal clear manner to the Government of Nepal, ILO, and to various advocacy groups. That is, working children should not be forcefully removed from work, whether tolerable or not, as long as clearly better alternatives remain unavailable.

9.2.3 Reflections on the Methodological Challenges in Studying Bonded Labour in the Agriculture

Prior to my entry into Europe in the mid-1990s, I used to work both at home and to support my parents even though I was also able to attend (formal) school. As a child of an illiterate and subsistent family, I spent about 16 years of my life carrying out household and agricultural tasks, while attending school whenever possible, in a remote village of Nepal (see Giri 2007a for details). About a decade later, I felt that my childhood work experience, and my European education, prepared me to conduct a research on working children, and, moreover, put me in a 'native' position to make better sense of *haliya/kamaiya* children's working lives than someone who is foreign to the sociocultural milieu of Nepal (Srinivas et al. 2002, Hammersley and Atkinson 1995, Kumar 1992). Yet, when I started my fieldwork in the summer of 2006, I soon came to realise that Nepal's dozens of caste/ethnic groups, each having its own distinct linguistic and cultural customs, were a lot more complicated than I initially thought. As I have discussed elsewhere, my research participants came from two completely different geographic and ethnolinguistic communities (Musahar and Tharu), and hence behaved differently than the people of my childhood village. This in turn forced me, like any other social researchers, to ask myself many questions and make a detailed plan as to how I could overcome field research challenges and, most importantly, present *haliya/kamaiya* children's daily life realities that were 'accurate' and, furthermore, would contribute to a new academic knowledge and policy-making. In conducting fieldwork with some 58 children from Morang and Bardiya districts of Nepal, I also had to overcome so many field research issues

that they could almost be presented as a separate thesis. In addition to the details presented in Chapter IV, however, I will shortly be reflecting upon some of the key methodological and ethical challenges that I encountered, and the ways I adopted the methods to overcome the constraints imposed by the field.

As Chapter IV makes it clear, I noticed that NGOs and newspapers have produced patchy reports regarding people working under *haliya/kamaiya* systems terming it as contemporary slavery (Bales 2004), but hardly any detailed analysis of working children, who have actually experienced it, existed. Except for a few NGOs funded survey studies, the issue of bonded labour also failed to gain much attention in the academic circles. Although the Government of Nepal along with local and international NGOs talked about introducing anti-bonded labour policies and programmes in line with the guidelines outlined in the UNCRC and ILO Convention N.182, hardly any children working as *haliya/kamaiya* labourers were able to explain their everyday circumstances. Despite working children being used as part of the fund-raising campaign by both local and international NGOs, as this research shows, they remain in the shadow when it comes to doing research, and making any policies for their benefits. I wondered about some of the most popular concepts like 'children's rights,' 'children's voice and agency,' 'best interests of the child' etc. that are frequently mentioned by child-rights activists as well as many social researchers at least since the 1990s (Boyden et al. 1997, Woodhead 1999, 2001, Schlemmer 2000, Montgomery 2005, James 2007). It is against this background that I set out myself to conduct an in-depth research to capture Musahar and Tharu children's bonded life-worlds from their own perspectives. Once I began to explore this under researched topic, however,

several exigent demands constantly challenged me, and particularly during the fieldwork – some of which I would like to reflect here.

Firstly, as I made it clear, my research topic itself was a difficult one. After years of NGOs lobbying, the Government of Nepal outlawed the *haliya* and *kamaiya* practices in 2000 and 2008, respectively, and hence was able to claim that it had completed its primary responsibility. The promulgation of Kamaiya Labour (Prohibition) Act 2002, which criminalised the *kamaiya* system, and, therefore, made it look non-existent, pushed the bonded labour contract to become ever more invisible. Over the years, the lack of proper rehabilitation programme also made it increasingly inaccessible for outsiders, and researchers, in particular, because the government decrees combined with the continuous political turmoil raised social and personal fear among labourers and employers. In such a situation, as also noted in Chapter IV, the exploration of working children's daily lives raised several crucial ethical and methodological concerns. For instance, NGOs and newspaper reports used to allege during the pre-2000 era that even the adult *kamaiya* workers were physically, psychosocially, and sexually abused by their employers (Sattaur 1993, Robertson and Mishra 1997, Rankin 1999, Lowe 2001, Edwin et al. 2005). In the post-2000 Nepal, it is the children, who have largely taken over their parents' former roles, and that when they have to work without the presence of their own family members, it would be natural to expect them to face tremendous physical and psychosocial risks. Yet, the ever more clandestine nature of *haliya/kamaiya* practices coupled with the potential risks of researching already vulnerable children raised additional ethical complexities to my study. Besides seeking multiple data collection tools, my aim to approach working children from a child-centred research perspective

required me to meticulously plan my field study from the beginning till the end (i.e. in choosing research participants, selecting questions, interviewing and recording, and making interpretations while writing up the findings, etc.). At the same time, the advance planning, no matter how good it was, still could not resolve all the issues pertaining to the actual fieldwork situations that fluctuated on a daily basis.

Secondly, I had to change my initial plan of approaching former *kamaiya* families in Kailali and *haliya* labourers in Baitadi district, which I had selected on the basis of literature review and also of the availability of potential assistants for the fieldwork. Although located in the western-most part of Nepal, these districts were not so far from each other, and were considered as having a large number of *kamaiya* and *haliya* labourers. From a research point of view, however, the volatile political situation combined the remoteness of Baitadi district as well as the stark ethnolinguistic differences between the people of these two districts eventually forced me change my original plan. After examining the local conditions through my own observations and also analysing local researchers' suggestions, I chose Bardiya and Morang districts as my fieldwork sites to study *kamaiya* and *haliya* labour practices, respectively. Although far from each other, I found that Tharu and Musahar people living in these districts came from different ethnic groups, but had a lot more similarities in terms of geographic, cultural, and socioeconomic characteristics than if I had chosen to carry out fieldwork from, say, the hill district of Baitadi. Thus, my selection of comparatively less problematic fieldwork sites resolved many of the fieldwork logistics as well as saved my time by allowing relatively easy access, and ensured suitability of studying two different communities living in relatively identical

circumstances. At the same time, as I discuss next, how to approach local people, and especially children, to participate in my research, was yet another issue that I had to tread carefully.

Thirdly, as a way of getting to know the area and people, and especially finalise my in-depth fieldwork sites, I visited Bardiya and Morang districts in July-August 2006, and arranged local assistants (two from each district). Despite being a native person, I also had to find assistants well accustomed to the fieldwork sites. For one, my research participants came from the southern flat land of the country, along the Indian border, so their language and culture are different from mine – I was born and grew up in a central hill district. Likewise, while my childhood experiences and family background did help me act partially as an insider, differences remained. The children and their parents noticed the diversity when I discussed details of my research objectives. Moreover, the decade-long political insurgency had made people, especially in the rural settings, suspicious of one another so it was often difficult to judge the intentions of various people that I encountered during the fieldwork, and Musahar/Tharu families initially also felt the same about me (Lee 1995, Lee-Treweek and Linkogle 2000). I had to be cautious and carefully select my research assistants, who would be able to understand and act properly if problems arose. Other researchers have also done the similar things; for instance, Edmonds (2003: 3) writes:

Experience from Nepal shows that the recruitment of persons from affected communities as local researchers and as research assistants can greatly reduce the risks involved... (They) will often know when a

researcher is taking the investigation too far, or asking questions that should not be raised in a given situation.

Thus, after providing the necessary fieldwork training to my local research assistants based on my research objectives and ethics, I sought to conduct a pilot study exploring the basic socioeconomic characteristics of potential research participants through informal conversations with the village chiefs, and also with the household heads of the Musahar and Tharu families. In doing so, I also hoped to establish a trusting relationship among the local people, and in particular, to locate the whereabouts of *haliya/kamaiya* children for an extended fieldwork relatively quickly. Unfortunately, I had to change one of my first assistants (Heme) and also a 'gatekeeper' (Pane) while preparing to study *kamaiya* children in Bardiya district. As I was unable to speak the (Dangura) Tharu language at the beginning of my fieldwork, Heme apparently introduced himself as an influential person (probably because his family was also using *kamaiya* labourers until recently). By ignoring my request to be gentle, he had also told some families that they could easily come out of poverty if they used permanent family planning methods after two children, besides the government giving them more land. His remarks were naturally pretty upsetting to the poor families, who consider children as their economic assets. Thus, within a few weeks, I was forced to search for a new assistant so as to avoid my working relationship with locals turning sour (but after Heme, I was lucky enough to find all four research assistants from the respective field sites). Likewise, when I came back to Bardiya from my initial work with *haliya* families from Morang, I found a tense situation in the Nayajib settlement because Pane had brought

someone else's wife home. He already had over half a dozen children from his first wife, and in fact, two daughters (aged 14 and 16) had recently eloped. While Pane pretended as if nothing had happened, his first wife, colluding with other neighbour women, wanted me to get involved (because I was seen as a powerful person). It was a very tricky situation, but I tactfully decided to avoid walking around with Pane, thereby neither helping nor offending his first wife. Although I again had to spend some time to find another reliable/suitable gatekeeper, my disassociation with Heme and Pane was the only option left for me to ensure my chance of continuing fieldwork in all three phases (see Chapter IV for details).

Fourthly, as I discussed elsewhere, I also had to take into account of my identity as 'a Europe educated Nepali', and moreover, a male researcher. Initially, it was a bit difficult to approach Musahar and Tharu families, who were not used to talking about their personal circumstances to strangers; I apparently spoke differently than other local Nepalese, besides not being familiar with their languages. As I just noted, however, I tried to overcome issues like these by making use of the local research assistants and gatekeepers; while depending on other people solved some issues, but it also created new ones (e.g. the behaviours of Heme and Pane).

Given my researcher status, when it came to locating bonded child labourers, the Bayibab and Nayajib settlers were reluctant to admit fearing social stigma and unknown legal/political repercussions. This forced me (and my research assistants) to spend quite some time talking to several family heads and other stakeholders (e.g. NGOs, local researchers, government officials, community chiefs, or in a few cases, even employers). This also included carrying out (anonymous) survey questionnaires to gather data on basic household

situations, and, in particular, to figure out where their children were working. In fact, my original plan to access Musahar/Tharu children by working as a volunteer teacher in the local schools (i.e. in the area where they work) had to be scrapped as I had no way of being able to access bonded child labourers at their employers' homes. This is why I needed to be in these children's own villages (i.e. Bayibab and Nayajib settlements) while they were visiting/living their families.

Once I was accepted by the local chiefs as well as Musahar and Tharu families and was allowed to talk to their children for the in-depth study, I had to be quite flexible with time in order to get to know them. As the majority of them were not attending school, one way to do so was to join them when they were helping their families in shepherding, cutting grass, ploughing, etc. Although I was trying to look as 'native' as possible (Hammersley and Atkinson 1995), the 'foreignised' tone of my Nepali language and the field research equipment that I was carrying were indicators of my identity as an outsider. I sometimes had to hear remarks like 'You might also be a son of a *kisan*, coming to see and laugh at our pitiful living conditions' (Field Notes 04/08/2006). This was a stage where children were trying to figure out who I really was. After sometime, however, my decision to go around with the groups of children turned out to be a good technique to interact with them; they took my conversations seriously, and I was able to modify my preliminary fieldwork questions and make adjustments to various data collection techniques (see Chapter IV). In fact, it even helped me to prepare the interview questions under six broad headings (namely, family background, work environment, physical impact, psychosocial stress, and future prospects).

During the actual interview, however, the format started from general structural questions that provided a framework for further questioning (e.g. what does bonded labour mean to you?). Then, I asked questions that were more descriptive about their activities (e.g. what is involved in your work?). While I put forward experiential questions to gather in-depth personal information (e.g. if you made a mistake, how would you be treated?), I proposed hypothetical situations in most cases to allow children to distance themselves from sensitive experiences. This sometimes led me to make the interview session a form of storytelling by encouraging children to tell a story of another child who had been in similar conditions (e.g. there was a story of a girl in the newspaper, who was being physically abused by her employer, have you heard any stories like this?). This way of interacting was particularly useful because it not only made things more culturally relevant, but also less frightening for children, especially when it came to issue of sexual abuse. Moreover, I used the so-called 'preference ranking' exercise from *The Children's Perspective Protocol* to explore the most/least important things for children, and for judgmental issues like wellbeing, they were asked to give examples of their moments of happiness or sadness or friends they talked to (Woodhead 1998). Alongside, I also used other tools like drawings among the literate children so as to get a visual picture of their daily work places/experiences (ibid.). In this way of conducting fieldwork not only increased the children's involvement in both individual and group interviews, but also showed similarities and differences between *haliya/kamaiya* children as well as between boys and girls (see Chapter VII).

Of course, I had to work with multiple people and in a constantly changing environment so a number of issues would keep on challenging me. For instance,

the interview questions, which had to be frequently modified, were sometimes unclear to many *haliya/kamaiya* children, even when they were translated into their own languages and in consultation with them. Likewise, I had to talk to my participants whenever possible, but interviewing them in the morning or in the afternoon seemed productive. During the actual meetings, they sometimes seem demotivated to speak and often drifted away from the questions that my assistants and me were posing to them. I thought it was probably because of hunger as I had seen the poor Musahar and Tharu families eating only two meals a day. So, I offered snacks (e.g. biscuits, instant noodles, soft drinks, sweets, tea, etc.) and hoped to energise them to actively participate in my research. At first, it looked like a perfect solution, but when flocks of children, especially in Nayajib settlement, started to come to interview sessions merely for the 'food', I was forced to stop this idea, and even abandon the fieldwork for a couple of days. In a similar vein, it was difficult to manage group interviews because of the noisy onlookers making some children feel quite nervous to talk. Besides being constantly vigilant, I often conducted mock interviews allowing everyone to participate so that my assistants could improve their skills, and as for others, I was able to say 'tomorrow is your turn' to send them away, and then focus only with the *haliya/kamaiya* children.

It was natural to expect that it would not be easy to get children's views on some issues. For instance, when it came to sensitive topics like physical and psychological abuses, the girls naturally did not feel comfortable talking in a group, especially when I had mixed both boys and girls, or to a male researcher. Although I could notice that my assistants were sometimes nervous, I had no choice other than being patient and polite while teaching them

interview/conversation techniques. Likewise, in the case of sexual abuse, I relied on my female assistants by staying away from the place of talk/interview, but within the eyesight to make sure that the conversations were going okay, and the girl children were not feeling distressed. By sparing an extended period of time for interviews, and by steadfastly reviewing recorded interviews and observation notes, I was able to make necessary adjustments after discussing with my assistants, I was able to gather a number of cases in details.

Prior to starting fieldwork, I had read in the literature that since field researchers engage in everyday social worlds, they are likely to encounter difficult situations and have to be able to cope with it (see Hitchcock 1970, Georges and Jones 1980, Kumar 1992, Jackson and Ives 1996, Smith and Kornblum 1996, Thapan 1998, Watson 1999, Srinivas et al. 2002), but I was unsure how difficult it would get until I was fully immersed in the field. When I started to transcribe and analyse children's viewpoints, I was also disturbed by children's personal stories, including at least a few cases of (attempted) rape. During the second phase of fieldwork, I had to hear that one of my 'best' research participants, Raju, who was one of the rape victims and had developed a close friendship with one of my female assistants, Sharu, had apparently committed suicide after her mother thrashed her for staying over with her 'potential' second husband (see Raju's story also in Chapter VII). According to some neighbours, Raju's mother was so furious that she requested villagers to bury her dead body in the nearby forest, instead of on the riverbank, and without any traditional rituals. Although it took quite a while to get over this very sad incident even after I had moved out of field research sites, I had no other choice than to continue all three phases of work that I had originally planned in order to unearth as much detailed data on

haliya/kamaiya labourers as possible.

Fifthly, and most importantly, it may be needless to emphasise that the work in the field does not go according to plans. On top of listening to children's, often sad, personal stories, I had to sustain the anarchic political situation, monsoon flooding, and the winter cold waves. Precisely for reasons like these, I always had to be in contact with local people, especially the village chiefs and/or watchmen. One major problem with this was that it was not always clear who the chief was because the settlement was divided into several sub-groups, each having a number of chiefs and sub-chiefs, or watchmen. I had to follow the particular one, who was available for that day, and it sometimes troubled me because their expectations from me, and relations with the locals, were not always predictable. In this regard, I realised that Seymour-Smith (1986) was correct in saying that:

It is natural enough for people who observe the anthropologist, comparatively wealthy by local standards and apparently free to pursue the line of research he or she chooses, to resent what they regard as the exploitation of the local community for the purposes of advancing his or her own career at home, placing the goals of his or her individual research project over and above any commitment to the aspirations and basic needs of the local population (Seymour-Smith cit. Sluka and Robben 2007: 9).

In Nepal, mushrooming of developmental NGOs since the 1990s has dramatically increased the poor people's dependency attitudes on external support, and hence Musahar and Tharu communities also viewed my entry as bringing in material benefits (Dhakal 2006). Unlike some survey researchers, my determination to get involved in an extended field study was a particularly good opportunity for

them to discuss various projects. I initially made it clear that my research was not going to bring any immediate or direct benefits, but they became reluctant to support me during the fieldwork. A couple of men went as far as to say 'we're only used without any gain' (Field Notes 18/02/2007). At this stage, even when I was always aware of ethical issues, I saw only a few other options than to tell them that my study is likely to bring some benefits in the near future (e.g. my pledge to make certain recommendations to various NGOs or policymakers so that Musahar/Tharu families would get benefits from health/education or skills training programmes).¹²³

Although my cautious approach to day-to-day field situations allowed relatively easy interactions with the *haliya/kamaiya* children (and their parents) to discuss my research objectives, at times, I also had to take account of certain people coming into Bayibab/Nayajib settlements from other towns or villages. For instance, my long-term presence seemed to give a sense of uneasiness to potential employers, who would venture into the villages during off-farming period, and also to some NGO workers to 'offer' community projects (water supply, sanitation, health, education, etc.). At least in one occasion, I had to explain myself to a woman from a NGO that was 'planning' to donate some hand-pumps (even though the Nayajib settlers were well acquainted with me as I had been there for a while). Some settlers, who apparently did not really like her entry, informed me later that she considered researchers like me to be a

¹²³ The fieldwork problems were almost identical in Morang district when I tried to gain access to Musahar families, especially their children working as *haliya* labourers. In fact, because of their proximity to Nepal's second largest city of Biratnagar, where socio-political issues always take a centre stage, people in the Bayibab settlement appeared even more inquisitive and concerned about the benefits I could bring than their *kamaiya* counterparts. Moreover, unlike Tharu families, Musahar people tended to ask for benefits directly and often forcefully.

potential barrier to her 'side program' to preach Christian (Protestant) religion – sometimes later, I myself witnessed the colourful preparation of a hut in which a banner read 'brothers and sisters, lets come together to celebrate the birth of lord Jesus.' Likewise, in Bayibab settlement, I wanted to talk to Musahar children, who were combining *haliya* work and that of factory. I had made an arrangement with the owner to meet them under the condition that I would not use any recording devices or take notes, but to my surprise, I was not allowed to talk to the child workers when I actually visited them in the brick-kilns. Clandestinely, the owner even tried to lobby around the village to force me to leave, but, luckily, most people appeared to be supportive of my study.

In short, I tried to rectify the effects on my fieldwork data had from above mentioned constraints by way of constantly debriefing/reviewing my research process. However, I was not, and could never pretend to be, completely objective, impartial or detached from the effects of the field situations (because, as I reflected, I was often touched by children's stories), nor have I tried to present my field data as an absolute truth about what *haliya/kamaiya* children said or felt. Nonetheless, I have tried to piece together their daily life stories in a way that makes sense to them, and which they consider important because their own perceptions are unavailable in the literature talking about them.

9.4 Contributions and Applications of the Study

In reviewing the available studies on child labour and child bondedness in Nepal, I noticed that children did not have much to say even when advocacy groups and

researchers were talking about their working and living circumstances. This reminded me of my own childhood situation. As I have argued, my childhood memories and the continued under representation of working children's viewpoints in the media, advocacy campaigns, and in social research, made me firmly believe that if we are to understand the 'lived realities' of others, the subjects should be given an opportunity to express themselves (Edwards 1996, Moore 2000). In this research, therefore, I have put a lot of efforts to present *haliya/kamaiya* children's life-worlds from their own viewpoints, and also to encourage other researchers and policymakers to take working children's agency and voice seriously (Woodhead 1998a, 1999a, James 2007, Komulainen 2007, Lundy 2007). This is one of the central contributions of my study. Despite working in a difficult environment, my research shows that Musahar/Tharu children, even if they come from socially disadvantaged communities, can articulate a complex understanding of the *haliya/kamaiya* practices under which they live and work. While discussing their physical and psychosocial health and well being, children did not simply state whether bonded labour contract is good or bad. Given the very limited choice they had, the majority of children rightly saw working is a good thing, especially when they were able to take self-satisfaction from fulfilling one of the most important family duties: their contribution to household survival. Of course, alongside study and play, Musahar/Tharu children talked about the importance of having better working environment, but, so far, such an opportunity did not exist for them. Hence, it was logical to construct their opinions of *haliya/kamaiya* work by carefully analysing the current and future advantages and disadvantages, and the availability/feasibility of alternative work.

On the policy front, it seems clear that if the Nepali government continues to pursue an abolitionist policy, merely owing to the pressure of national and international NGOs and without considering *haliya/kamaiya* children's everyday realities, these children may meet the same fate as the Bangladeshi, Moroccan, or Mexican children did since the 1990s (Hobbs and McKechnie 1998, Pierik and Houwerzijl 2006, Haider 2008). For instance, the so-called National Master Plan (2004-2014), which puts various kinds of work done by children under the worst forms of child labour, does not show any signs of eliminating child labour in the country by 2014.

At the end of 2009, we are still talking about the issue of bonded labour practice, especially increased use of children since it was first outlawed in 2000. In fact, the *haliya/kamaiya* labourers from Musahar/Tharu communities do not want to be suddenly removed from their work like their parents if the next best thing for them is to search for manual labour in the cities or in India. Therefore, it is necessary for the Government of Nepal to acknowledge children's viewpoints on their daily realities, even if it cannot completely resist the pressure of donor organisations, and to initiate policies that are beneficial for the working children both in the short- and long-term.

9.5 Limitations of the Current Research

In this research, I have explored *haliya/kamaiya* children's life-worlds from their own point of views, but a number of problems could not be avoided.

Firstly, I could not guarantee that the power relations between my participants, and between them and me, were equal. I noticed that some children would not

allow others to express their views freely either during the group interviews or informal interactions. I was unable to match my participants in terms of age and gender so some appeared less confident in sharing their personal circumstances and thoughts. I tried to give an equal opportunity to all of them, often by way of rotation, but I had to accept the fact that some children were more informative and vocal than others. I further tried to overcome this problem by conducting individual interviews, but still some children were even less expressive individually than in group-talks.

Secondly, in researching the day-to-day working lives of *haliya/kamaiya* children, I could not be sure of the accuracy and the details of their personal stories, which sometimes involved distressing, if not, stigmatising issues of physical, psychosocial, or, in a few cases, sexual abuse. Other researchers have found that working children may withhold information about their personal lives if they worry about the consequences of revealing it (Reynolds 1991, Blanchet 1996, Rubenson 2005). In my study, I found that *haliya* children, in particular, gave a positive impression of their workplace and often complained that they were mistreated by their own parents rather than by their employers. It was sometimes more visible from their facial expression than their words that children feared about their stories eventually trickling back to their employers. Similarly, some of the girl participants tended to smile while telling their stories of abuse in order to prevent my research assistants from probing any further. It seems that the children, like adults, were selective about their life stories, and often the assurance of anonymity and confidentiality could not convince them to be fully open and truthful (Hammersley and Atkinson 1995, Patton 2002,

Gillham 2005). However, it was a very difficult issue that any social researchers would find complicated to resolve.

Thirdly, and most importantly, the problem of voice always remains (James 2007, Komulainen 2007, Lundy 2007). I wanted to provide a detailed account of children's perspectives on *haliya/kamaiya* practices and to present children's opinions verbatim. However, it was I who prepared the interview questions, transcribed children's responses, and made my own interpretation of their words to make sure that the text is readable and understandable to English speakers. Besides its openness to multiple interpretations, my use of local assistants (though they mostly acted as facilitators) and the multi-layered transcriptions of the field data (i.e. from Musahar/Tharu dialect to Nepali and then to English) might have slightly altered the meanings from what my participants actually meant. Of course, I was fully aware of this problem from the start of the research, and I tried to recover some of the meanings 'lost in translation' by holding discussions during the second and third phases of fieldwork (Patton 2002). Yet, a number of children could not participate in the follow up study, and some could not recall what they had said previously so the recovery and assurance of the 'original meanings' was not completely successful.

9.6 Recommendations for Further Research

Having written about this research's strength and limitations, I will now suggest future research directions, which can extend the methodologies and findings of

the current study to explore bonded labour in Nepal and in other South Asian countries in general.

The field data for this research was collected in three phases, or a total of year, but the planning and the pilot work also took some time. Sometimes, the research was hampered by climate problems (e.g. monsoon flooding, cold waves in winter), and, at other times, by the volatile political situation, or by the unpredictable day-to-day circumstances in the field itself. While it was difficult to engage in fieldwork uninterruptedly, I planned to study both *haliya* and *kamaiya* children in districts that were roughly 800 kilometres apart. I also hoped to capture several aspects of bonded work, including observing the processes involved in setting up bonded labour contracts, the seasonal variations of work, the different types of respondents and time periods. Besides narrowing down the fieldwork distances to save time, I now think that a longitudinal study extending over a much longer timeframe would be best suited to effectively analysing children's constructions of bonded labour. Such research would not only be able to include many child participants from different locales, but could also build on and develop the findings of this study. Of course, other researchers may find studying *haliya* labourers in the hill and mountain regions more appropriate than my research has done, and I would like to encourage them to do so.

I carried out both individual and group interviews, and re-interviewed the same persons when I felt that they offered a valuable source of data. However, time and space constrained me, and I was not always able to separate boys and girls, and children into different age groups. This had both advantages and disadvantages. While some children were able to provide feedback on each other's experiences of bonded work, other children, especially younger ones, and

girls, found it difficult to express their perspectives in pairs or in a group. If the resources and research logistics were available, these children could be interviewed in whichever way they felt more comfortable so as to let them participate more fully (Brown et al. 2004).

As this research is a detailed study using relatively small sample size, its application, and especially its replicability, in different geographic and socioeconomic contexts would also validate its usefulness in academic as well as policymaking circles. In this way, an intervention programme, which is specific to the local needs, could be initiated instead of blanket ban on bonded child labour as demanded by advocacy groups.

9.7 In Conclusion

My own childhood experiences, and the lack of representations of working children's viewpoints in the child labour literature, motivated me to engage in this child-centred research, focusing on the issue of bonded child labour under the *haliya* and *kamaiya* systems. My aim was to explore how Musahar/Tharu children define bonded labour and how it affects their current and future lives. By conducting field research, I have tried to present their views about various aspects of their everyday world. In recognising children's voice and agency, a new and complex way of understanding *haliya/kamaiya* work has emerged. For instance, my participants do not accept the work they do as 'slavery' and yet they define their daily activities as bonded labour. They are aware of the advantages and disadvantages inherent in the bonded contract, but insist that they are likely to be worse off if they have to search for work elsewhere without having a

certain level of education and vocational training. As they must earn some forms of income to support their families, their chance of acquiring relevant future skills is rather limited. This means that rather than pursuing an agenda of outright ban, sustainable measures may be needed to implement gradual changes to remove these children from *haliya/kamaiya* contracts. As this is the first detailed qualitative study, the suggestions made for interventions may appear somewhat incompatible with those policymakers, especially when the importance of ILO Convention No.182 has been widely recognised. However, Musahar and Tharu children have provided numerous examples that demand policy reconsiderations. For me, until and unless bonded children's agency and voices are taken into account by all those claiming to be working against bonded labour, I find it difficult to call this chapter a conclusion, but rather a determination to move towards that endpoint.

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Appendices

Appendix 1: Glossary

Aaphno manchhe: Literally means one's own person, but in everyday socio-political life, it actually means having a strong bond/network with someone, who is economically/politically influential, to gain favours.

Adhiya: A sharecropping agreement in which a landowner receives 50 percent of the productivity from the farmer, without having to contribute anything other than leasing the land.

Balak: It is either a boy or a girl, who is less than 16 years old.

Badarni: Literally means a female monkey, but it used as a derogatory terms to scold females.

Beshya/randi: It is an English equivalent of flirty and/or a whore.

Bhai/bahini: Literally means younger brother and sister, but it is also used to describe other people's, including employers, children.

Bhumisudhar: It refers to the Land Reform Act of 1964 AD, which abolished the landlord system, and aimed to redistribute land to the landless.

Bhus: A fine rice skins given to animals, especially during the winter months.

Bigha: A land measurement used in Tarai region of Nepal in which one *bigha* equals 0.676 hectare.

Bukura/kothar: A 'home' provided by the *kisan* for the entire family of his *haliya/kamaiya* or (debt) bonded labourers.

Chappal: Plastic/rubber-made sandals, popularly worn like outdoor shoes in Nepal.

Chhattu: A person who lies and cheats on others, especially on the weak and vulnerable ones.

Chhidi: The entrance, stairs, and front-yard of a house.

Chulo: Literally means a stove, especially one that uses firewood, but normally refers to the entire kitchen area.

Daal: It is a soup made of various kinds of grinded-beans, popularly known as lentil soup, eaten with *bhaat* (cooked rice).

Dalit: It refers to several groups of 'low caste' people, often referred to as 'untouchables.'

Dankini: Literally means a witch, but it is derogatorily used to scold females.

Daru or jaad/raksi: The popular homemade alcoholic drink in Nepal; *daru* is the term used in the Tarai region, and *jaad/raksi* in the hills and mountains.

Dasata or dasipratha: It refers to the practice of slavery or a person working for someone virtually for free and for a long period of time.

Dhiki/jato: The traditional household equipment used for grinding grains, including for unhusking rice. It is predominately used in the remote parts of Nepal.

Doko: A cone-shaped basket used to collect grass and firewood, particularly in the hills and mountain regions of Nepal.

Gadha: Literally means a donkey, but it is used as a derogatory term to scold males.

Goru/rango: A pair of male oxen/male buffaloes, which are used for ploughing the field. In the Tarai region, these animals are also used to carry loads on a cart-wagon.

Guitha: Dried animal-dung, which is used in the Tarai region as cooking fuel.

Haliya: An agricultural bonded labour practice prevalent in far-western hill districts, and eastern Tarai (though not all *haliya* labourers are thought to be bonded). The Nepal Communist Party (Maoist) led-government banned the *haliya* practice in September 2008.

Hat bazar: An open street market, often, open once or twice a week in rural areas.

Janai: It refers to a sacred thread worn around the neck/shoulder by Brahmin and Chhetri castes of Nepal. The first *janai* ritual transforms men into (ritually) adult realm; every year, on *janai purnima* (the sacred thread wearing day), the *janai* has to be renewed by the Brahmin priests.

Janjati: Various groups of indigenous people, including Musahar and Tharu, who live in different parts of Nepal.

Kamaiya: An agricultural bonded practice in the Naya Muluk region of Nepal, which primarily affects a section of the ethnic Tharu population. The *kamaiya* system was banned in 2000.

Kattha: The land measurement used in the Tarai region in which one *kattha* equals 338.57 square meters or 0.03 hectares, and 20 *kattha* equals one *bigha*.

Ketaketi: It refers to a boy or a girl below 14 years old.

Khole: Soup made out of leftover food, *bhus*, etc. to give to animals during the winter months.

Khukuri: A long curved knife used by the armed forces of Nepal, and also by the Gorkha/Gurkha soldiers assigned to British and Indian army.

Kisan: It means a simple farmer, but in the case of bonded labour, it is often translated as a landlord who employs bonded labourers (though such use term is debated by academics).

Kukur: Literally means a male dog, but it is used as a derogatory term to scold males.

Kukurni: Literally means a female dog, but it is the English equivalent of bitch.

Kuti: Fine chopped green grass and/or hay/paddy, which is given to the animals, particularly in winter months.

Lyapche: The thumbprint used by illiterate people in place of signature for the legal purposes.

Machikni: An extremely vulgar term, equivalent to the English mother f---r, which is often used by youngsters when quarrelling with each other.

Majduri: It refers to unskilled work such as that done on constructions sites on a daily wage basis.

Malik/maliknia: Literally means an owner or a boss, but Musahar/Tharu children use it as respected title to refer to their male and female employers. In the urban areas, the equivalent terms these days are sir and madam.

Matwali: Refers to certain groups of people, including Musahar and Tharu, who traditionally drink alcohol. Although the caste discrimination is legally abolished, in everyday social life, a *matwali* person may be a 'touchable' or an 'untouchable,' depending on the caste and ethnic hierarchy.

Nabalak: It is a girl or a boy between 14 and 18 age group.

Nagarikata: The citizenship identity given to all Nepali people after their sixteenth birthday. It works as a legal proof of identity within the country and is also valid for travel to India.

Pahadiya: A term used the by people of Tarai, like Musahar and Tharu, to describe people of hill and mountain origin.

Rajkumari: Literally means a princess, but when it is used during a quarrel its implication is the opposite.

Rani: Literally means a queen, but when it is used during a quarrel its implication is the opposite.

Riksa, ricksha or rickshaw is a three-wheeled bicycle, having a seat for passengers behind the driver.

Sahara: Literally means helping hand, but when parents refer to their sons being old age *sahara*, it means they will take care of their parents till their death and also offer proper rituals for the deceased.

Sala kukurni: The term is used during scolding, which means something like 'you bitch!'

Sukumbasi: It refers to people with a very small plot or no land at all, but it is also sometimes used to describe *haliya/kamaiya* families.

Tangga: A wooden wagon pulled by *goru/rango* used to transport agricultural goods.

Tharuni: It is the feminine form of Tharu, but sometimes, it is used as a derogatory term similar to calling someone an animal.

Appendix 2: The National Master Plan (2004-2014)

2a) Category B of the 'Worst Forms of Child Labour'

- 01) Tourism related activities like hotel, motel, restaurant, casino, rafting, cable car, golf course, etc.
- 02) Service industries like workshops, laboratory, slaughterhouse, cold storage, security guard, cinema halls, etc.
- 03) Public transportation and construction activities like *khalashi* (money collector), stone quarries, brick kilns, etc.
- 04) Manufacturing industries like tobacco, carpet, textile, leather, cement, chemical and related, beverages, photo processing, etc.
- 05) Garbage collection and processing like a scavenger and *khate* (rag picker), production and sale of explosives and inflammables like matches, etc.
- 06) Different types of energy generation, transmission and distribution
- 07) Extraction, processing and distribution of petroleum and related products
- 08) Three-wheeler (*ricksha*) and cart pulling
- 09) Activities related to cutting machines
- 10) Activities carried out underground, underwater or high altitudes (e.g. electrical or painting work at heights)
- 11) Activities involving chemicals
- 12) Domestic worker (*nokar*)
- 13) Portering (*bhariya*) in both urban centres and rural areas.

2b) Category C of the 'Other Worst Forms of Child Labour'

- 01) Agriculture - farming, poultry, fishing, animal husbandry, floriculture, nursery, horticulture, etc.
- 02) Agro/Food Processing - rice/flour mills, dairy, bakeries, noodle/biscuit factories, confectionery, etc.
- 03) Activities related to information and communication, financial, insurance, and other business services
- 04) Services to communities - health, education, religious, etc.
- 05) Water supply, road sweeping, laundry
- 06) Technical services like auto, motorcycle or cycle repairing
- 07) Family run (businesses) and small restaurants, tea stalls, etc.
- 08) Wholesale and retail shops and storage
- 09) Traditional family artisans - pottery, woodcarving, metal statue, jewellery, *thanka* painting, etc.

Source: Master Plan cit. Seelaus 2004

(Note: It is not clear why the Government of Nepal decided to categorise children's work in such a way. For instance, is tourism related activities necessarily a worst form of child labour? As it is beyond the scope of my thesis to debate such points, I have simply listed the categories as they were formulated.)

Appendix 3: Fieldwork Plans, Logistics and Participants

3a) Field Research Schedule and Plans

Schedule	Activity and participants	Expected Outcomes
Phase I: July- November (2006)	Interviews/discussions with various stakeholders (NGOs, local authorities, researchers, village chiefs, etc.). Formation of local ethics advisory team (the researcher, an academic, a government official). Household survey questionnaires in selected field research sites. Initial interaction with Musahar and Tharu parents, and their children working as <i>haliya/kamaiya</i> labourers	Understanding socioeconomic conditions under which the <i>haliya/kamaiya</i> systems operate. To oversee ethical issues specific to the local cultural context. Training research assistants; identification of field research sites and negotiation with participants. Exploring <i>haliya/kamaiya</i> children's use and understanding of various bonded labour terms and definitions.
Phase II: January- March 2007	Observation of the <i>kamaiya</i> labour contract during Maghi festival (after mid-January). In-depth interviews and case histories with adults, who had worked as <i>haliya/kamaiya</i> labourers. In-depth study (viz. interviews and group discussions) with 19 <i>haliya</i> and 31 <i>kamaiya</i> child workers.	Understanding the annual labour contract between Tharu parents/children, and employers. Parents' experiences of bonded work and their opinions on pre-and post-2000 <i>haliya/kamaiya</i> practices. A detailed exploration of <i>haliya/kamaiya</i> children's daily lives from their own viewpoints.
Phase III: September- October 2007	Follow-up interviews with previously studied <i>haliya/kamaiya</i> children. Interviews and discussion with pre-and post- <i>haliya/kamaiya</i> children, including case histories with several of them. Interviews with <i>haliya/kamaiya</i> employers and local NGOs.	Further exploring and clarifying children's perspectives, including seasonal variation of bonded work. Comparing children's life and work between home and away. An alternative outlook on <i>haliya/kamaiya</i> systems, and Musahar/Tharu communities.
Debriefing: April-May 2008	A final debriefing with <i>haliya/kamaiya</i> to discuss their participation and their stories.	Getting approval from <i>haliya/kamaiya</i> children to use fieldwork materials (i.e. interview extracts, pictures, drawings) etc.

3b) Consent for Children’s Participation in Research

Dear Parents/Guardian/Employer,

I am kindly requesting you to give consent for your child(ren) to partake in my PhD study regarding how do working children understand the *haliya* and *kamaiya* systems and how do they view the physical and psychosocial impact on their daily lives. The Open University Human Participants and Material Ethics Committee (HPMEC) have approved this research, and all information given by your child(ren) will be kept strictly confidential within the perimeters of research team.

This research involves interviewing children, observing their work, allowing them to talk to other children about their work, asking them to tell stories, make drawings or take photos about their working and living environments. Depending on the situation and needs, the conversations with the children will be recorded, videotaped or written in a note format, and anonymised for academic purposes only.

At the outset of the fieldwork, the researcher (and the assistants) will explain the purpose of the study in details both verbally and in written form, and will be pleased to answer any questions you or your child may have. It is completely voluntary and your child will be free to choose to participate or withdraw at anytime during the study. Children will be allowed to choose the interview venue, time, and how they would like to participate in the research, including individually or in pair.

Thank you for your time and understanding of the objectives of the research. If you will allow your child(ren) to participate, please complete the consent form below, and the researcher will give you a copy for your record.

Yours sincerely,

Birendra Giri

I,, agree to allow my child(ren)..... to participate in the study ‘Bonded Labour System in Nepal: Life and Work of Children in Communities.’ I understand that my child(ren) is free to withdraw from the study at any time. I also agree that the information obtained from my child(ren) during the course of fieldwork, including photographs, video footage, and drawings will be used in academic writings, meetings/conferences. You can also contact my supervisors (name(s), contact details), at anytime for further information.

Signature..... Name.....
Date..... Child(ren) Name.....
Address.....

3c) Consenting to Audio-Visual Materials for Academic Purposes

Dear Parents/Guardian/Employer,

My PhD research entitled ‘Bonded Labour System in Nepal: Life and Work of Children in Communities’ encourages working children to express their daily-life perspectives in a variety of ways (viz. through recorded interviews, drawing and pictures of working environment, taking photographs and/or video footage of the participants). In this form, I am requesting you to give your consent to take and use these audio-visuals in which your child(ren) will be taking part.

All materials obtained from and of your child(ren) will be anonymised and kept confidential. The researcher will only use them during academic meetings, conferences, and within The Open University. However, if you at anytime want any of the audio-visuals not to be used for research purposes, they will be withdrawn immediately. Moreover, the researcher will seek your consent prior to releasing any recorded, drawing or photographic information of your child(ren) to any third parties, including publishers and NGOs.

Thank you for your kind understanding to support this research.

Yours sincerely,

Birendra Giri

I,, agree that recorded interviews, drawing and pictures of working environment, photographs and/or video footage of my child(ren) will be used for academic purposes by the researcher within The Open University. I am being fully informed that my consent will always be sought before any materials of and about my child(ren) are supplied to the third parties. If you feel that you need further information, you can also contact my supervisors (name(s), contact details), at anytime for further information.

Signature..... Name.....
Date..... Child(ren)’s name.....

Address.....

3d) Household Survey Questionnaire

A. Introduction

This research entitled 'Bonded Labour System in Nepal: Life and Work of Children in Communities' encourages working children (8-16 years old) to express their daily-life perspectives in a variety of ways (especially through recorded interviews, group discussions, drawing and pictures of working environment, taking photographs and/or video footage of the participants). The final report will be a detailed analysis of the physical and psychosocial needs of the working children, and their ways of finding solutions to their own issues. Prior to in-depth study, this research also involves a basic household survey questionnaire so as to examine the family situation of the working child(ren).

Participation in the research is completely voluntary, which means participants can freely withdraw if they feel uncomfortable. All materials obtained from you and of your child(ren) will be anonymised and strictly kept confidential. Although this study cannot promise any direct benefits to the participants, it is hoped that its findings will put the conditions of working children and their views on the spotlight of NGOs and policymakers.

A1	Study district: 1. Bardiya, 2. Morang <input type="checkbox"/>
A2	Head of the household.....
A3	Name of the interviewee.....
A4	Name of the interviewer.....
A5	Outcome of the interview: <input type="checkbox"/> Interview completed.....1 Interview to be completed.....2 Interview denied3

B. Household Background

B1. Which caste and /or ethnicity does your family belong to?

1. Tharu
2. Dalit
3. Others (specify).....
4. Don't want to say

<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

B2. Family structure

#	B2.1 Name of children	B2.2 Gender (M 1, F 2)	B2.3 Age (in years)	B2.4 Occupation	B2.5 Education	B2.6 Suitable participant
01		1 2	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
02		1 2	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
03		1 2	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
04		1 2	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
05		1 2	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
06		1 2	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
07		1 2	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

1. Yes
2. No
3. Can't tell

D. Health and Sanitation

D1. What kind of toilet facility do you have?

1. Concrete
2. Mud/Stone
4. Others (specify).....

D2. What is the main source of your drinking water?

1. Piped Water
2. Hand pumped groundwater
3. River/well
4. Others (specify).....

D3. What kind of fuel do you use for cooking?

1. Gas/electricity
2. Firewood
3. Animal dough
4. Others (specify).....

D4. Has anybody in your family been ill in the last 12 months?

1. Yes
2. No
3. Can't tell

D5. Where do you normally go for health service?

1. Local shamans/magicians
2. Nearest health post
2. Hospital
4. Others (specify).....

E. Children, education and work

E1. What do your children do?

1. School
2. Work
3. School/work
4. Others (specify)

E2. In the last one-month, how many days did your children attend school?

1. All school days
2. Most school days
3. Some school days
4. Can't recall

E3. Why do your children not go to school regularly?

1. Child uninterested
2. Physical/mental difficulty
3. Financial problem
4. Others (specify)

E4. Where do your children work?

1. At home/farm
2. Someone else's house/farm
3. Manual labour sector
4. Others (specify).....

E5. How many hours a day do they work?

1. All day and evening
2. During the day
3. Just few hours
4. Unknown

E6. What types of work are they engaged in?

1. Domestic work
2. Domestic and farming
3. Farming
4. Others (specify).....

E7. Who sends them to work?

1. Voluntarily
2. Parental decision
3. Peer pressure
4. Others (specify)

E8. What kind of remuneration do they get from work?

1. Food and stay only
2. Food/school
3. Cash income
4. Others (specify)

Do you have anything to ask?

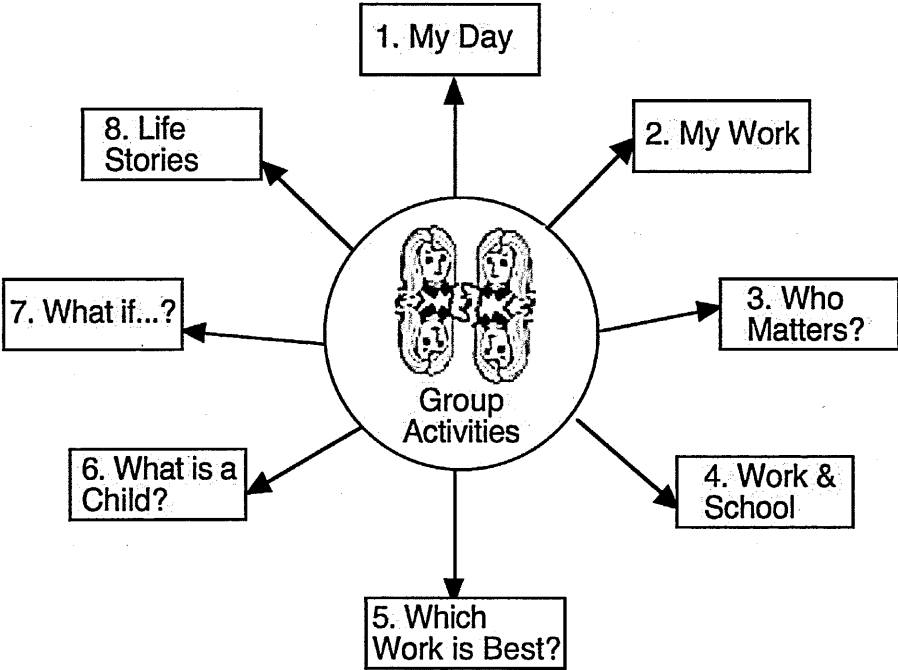
Survey questionnaire has ended, thank you for your time!

3e) In-depth Research Questions and Data Collection Tools

General semi-structured Research questions	Group exercise	Interview	Group discussion
What terms and definitions Musahar and Tharu children/parents use to describe <i>haliya/kamaiya</i> labour, and what do they actually mean to them, children in particular?	√	√	√
What are the processes involved in forging bonded contract? Why has 'the promise of education' become popular among Musahar and Tharu children/parents, and employers? How realistic is getting education while working as bonded labourer?		√	√
How do Musahar and Tharu children express negative and positive aspects of bonded work on their health and wellbeing?		√	√
How do Musahar and Tharu children see the changes in their lives between home and work?		√	√
What future alternatives do Musahar and Tharu children envision for their adult lives?		√	√

3f) The Children’s Perspectives Protocol

Note: What I have presented below is only the summary of *The Children’s Perspectives Protocol*, but the whole protocol was translated into Nepali language in order to carry out participatory group activities with *haliya* and *kamaiya* children.



Activity 1: ‘My day’ invited young people to describe their daily lives. The information was collected orally and by using daily timetable charts showing work, school, domestic chores and play, and individual, weekly and seasonal variation charts.

Activity 2: ‘My work’ was an open-ended exploration of the details of children’s working lives. Information was collected through mapping, drawings, flow charts, role-play and group discussions. Notes were also made of body language and emotions that children expressed.

Activity 3: ‘Who matters?’ asked about young people’s social networks, the quality of key relationships, as well as their own self-evaluation. Information was gathered using a chart with themselves at the centre and other important people in a circle around it. This was used as the basis for discussion.

Activity 4: ‘Work and school’ asked participants what they considered the good things about their work, and then repeated the exercise for school before

establishing their preferences. Information was gathered using cards of school children with their profession on them, along with a card with a happy face to represent good things and a sad card to represent bad things. This was used as a basis for asking the good and bad things about school and work.

Activity 5: 'Which work is best?' asked participants to rank children's occupations (including their own) in terms of relative desirability/undesirability, and explored the criteria on which young people base these judgements. The cards were used to explore whether different occupations are better or worse than the children's own type of employment.

Activity 6: 'What is a child?' examined young people's own views on child development. They were asked to chart a wide range of work activities in terms of age appropriateness. The information was gathered using time lines, on which sets of cards with different domestic chores and occupations were placed. Discussions took place about working laws and regulations.

Activity 7: 'What if?' presented young people with common dilemmas facing working children and invited them to comment about what is likely to happen next and what could be done to help. The dilemmas were presented using role-play, words or pictures. The sort of things they included were coping with exploitation and abuse, family pressures and breaking rules.

Activity 8: 'Life-Stories' provided fieldworkers with an opportunity to explore the issues in Activities 1-7 with a particular child, in order to enrich the level of detail from group work. Information was gathered using any means that the child felt comfortable with.

(Source: Woodhead 1998 cit. Wilkinson 2000: 18)

3g) A brief Introduction to Fieldwork Villages, and Participants

In the following sections, I offer a short introduction to my fieldwork sites, and also a profile of selected participants. As it would be difficult to write about all research participants, I have written about those NGOs workers, parents, employers, and those children with whom I was able (either directly or indirectly) talk about *haliya/kamaiya* labour problems on more than one occasion.

3g1) A Short Overview of Bayibab and Nayajib Settlements

Bayibab is probably one of the largest villages in Morang district of eastern Tarai, Nepal. Various ethnolinguistic groups have inhabited the village, but the Brahmin (both migrants from the hills and that of the Tarai itself) dominate all aspects of social life in the area, including in land ownership. Many *kisan* in Bayibab village engage in commercial agriculture so the demand for labour is high. There are several ethnic groups, including Musahar people, who make their living from unskilled work or *haliya* labour. In fact, my survey showed that most Musahar families have been working as generational *haliya* labourers, and that they appeared poorer than their freed *kamaiya* counterparts. They live in the edges of the villages, in a tiny stretch of land, like a defensive wall for their village. However, the recent construction of a number of brick-kilns in the nearby villages seems to have encouraged Musahar families to also seek alternative (cash) employment. During the fieldwork, I noticed that a very few Musahar children attend school; the younger ones (below 16) tend to live and work for the *kisan* while older children and parents work elsewhere during off-farming periods and accept seasonal *haliya* contracts particularly monsoon raining season.

Nayajib is one of the largest settlements in Naya Muluk region of mid-western Tarai, where 'freed-*kamaiya* families have been living since 2000. Each family has received five-*kattha* land to build a house and farm but, given their large families, everyone, including children, has to do whatever work they can in order

to meet their daily needs. The unfertile land and isolation of Nayajib settlement from other villages makes it hard for people to find jobs, and many people have migrated elsewhere to work, including children who have accepted *kamaiya* contracts. Although local chiefs were supposed to have all the household data for their respective areas, they could not say approximately how many children from each community there were and where they were working.

3g2) List of Initial Haliya and Kamaiya Child Participants

The names of *haliya* and *kamaiya* child workers, collected through some 140 household survey questionnaires, presented in the table below are fictionalised whereas the information about their lives are real. During the in-depth interviews, however, only 58 children were able to participate to discuss their working lives. I have also offered a brief profile of several children, who were informative, but also were able to participate in difference phases of my field study.

Children from Bayibab	Key Reasons for Leaving Home	Grades Passed	Contacting Employers	Haliya for Years	Situation at Work
01. Shibe (14, m)	No family at all	0	Through relatives	6 (ongoing)	OK, work injuries
02. Sume (9, m)	Alcoholic parents	0	Through brother	2 (")	"
03. Jibe (11, m)	"	0	Through friend	3 (")	"
04. Saru (15, f)	Poor, no study	4	Through mother	5 (")	"
05. Kiru (10, f)	"	2	Through father	2 (")	"
06. Sitae (16, m)	"	1 (dropped)	Self decision	6 (casual)	"
07. Bidhe (16, m)	Poor, ageing parents	1 (")	"	9 (")	Ankle problem
08. Raje (17, m)	Poor, large family	1 (")	"	8 (")	OK, work injuries
09. Rite (18, m)	"	1 (")	"	8 (")	"
10. Saime (m, 12)	Poor, no study	2	Through relatives	2 (ongoing)	"
11. Shyae (m, 16)	Poor, large family	2 (dropped)	"	4 (casual)	"
12. Rajke (m, 11)	Poor, no study	1	Through father	1 (ongoing)	"
13. Ashe (m, 18)	Poor, ageing parents	0	Self decision	7 (casual)	Some abuse
15. Katte (m, 16)	Poor, large family	0	Through relatives	5 (")	OK, work injuries
16. Sriche (m, 16)	"	0	"	6 (ongoing)	"
17. Radhu (f, 11)	"	2	"	2 (")	"
18. Chote (m, 15)	"	1 (dropped)	"	4 (")	"
19. Sunu (f, 14)	"	0	Through father	5 (")	"
20. Babbe (m, 11)	Poor, no study	1	"	2 (")	Some abuse
21. Este (m, 16)	Poor, large family	2 (dropped)	Through relatives	6 (casual)	"
22. Rupu (f, 16)	"	0	"	5 (stopped)	Serious abuse

23. Ramu (f, 15)	"	0	"	5 (ongoing)	Some abuse
24. Ashe A (m, 13)	Poor, no study	3	"	3 (")	OK, work injuries
25. Aje (m, 11)	"	2	"	2 (")	"
26. Dile (m, 13)	"	3	"	2 (")	"
27. Gitu (f, 10)	"	2	"	1 (")	"
28. Ame (m, 9)	"	1	"	Just started	"
29. Budhe (m, 15)	Poor, large family	1 (dropped)	Self decision	4 (ongoing)	"
30. Bhabu (f, 14)	"	0	Through father	2 (")	Some abuse
31. Sipe (m, 10)	Poor, no study	1	"	1 (")	OK, work injuries
32. Shike (m, 15)	Poor, large family	2 (dropped)	Through friend	5 (")	"
33. Chane (m, 16)	"	"	Self decision	6 (casual)	Some abuse

Children from Nayajib	Key Reasons for Leaving Home	Grades Passed	Contacting Employers	Kamaiya for Years	Situation at Work
01. Gope (m, 15)	Poor, no study	6	Through father	2 (")	OK, work injuries
02. Lalu (f, 15)	Poor, large family	0	Through relatives	4 (")	Serious abuse
03. Shanu (f, 12)	"	0	"	5 (")	Some abuse
04. Raju (f, 15)	"	0	Through father	6	Serious abuse
05. Thage (m, 16)	"	0	"	6 (ongoing)	OK, work injuries
06. Kalpu (f, 13)	Poor, no study	3	"	3 (")	"
07. Mayu (f, 13)	"	3	Through relatives	3 (ongoing)	"
08. Darse (m, 12)	Poor, large family	0	Through father	3 (")	"
09. Sague (m, 14)	Poor, no study	1	"	4 (")	"
10. Nire (m, 14)	Poor, large family	0	"	3 (")	"
15. Bipu (f, 12)	Poor, no study	2	"	2 (")	"
16. Rame (m, 11)	"	1	"	2 (")	"
17. Lilu (f, 9)	"	Just started	"	Just started	"
18. Sanu A (f, 13)	"	2	"	2 (ongoing)	"
19. Rame (m, 15)	Poor, large family	0	Employer came	4 (")	Some abuse
20. Phulu (f, 14)	"	0	Through relatives	4 (")	"
21. Situ (f, 15)	"	2 (dropped)	"	3 (")	Serious abuse
22. Shere (m, 14)	"	0	Employer came	5 (")	OK, work injuries
23. Situ A (f, 15)	"	0	"	1 (")	"
24. Ashe (m, 10)	Poor, no study	1	Through father	2 (")	"
25. Shilu (f, 12)	"	2	"	3 (")	"
26. Bhagu (f, 17)	Poor, large family	2	"	6 (stopped)	Serious abuse
27. Sune (m, 16)	"	2 (dropped)	Employer came	6 (ongoing)	OK, work injuries
28. Ritu (f, 14)	"	2	Through father	3	"
29. Situ (f, 16)	"	2	"	3	Some abuse
30. Fatte (m, 15)	"	0	Through relatives	6	OK, work injuries
31. Surye (m, 9)	Poor, no study	Just started	Employer came	Just started	"
32. Kapu (f, 15)	Poor, large family	3 (dropped)	Through father	5	Some abuse
33. Basu (f, 13)	"	2 (")	"	2	OK, work injuries
34. Sumu (f, 13)	"	2 (")	"	3	"
35. Tike (m, 11)	Poor, no study	2	"	2	"
36. Sanu (f, 14)	"	3	Through relatives	4	"
37. Anu (f, 14)	Poor, large family	2 (dropped)	"	2	Serious abuse

38. Babu (f, 15)	"	2 (")	Employer came	5	Some abuse
39. Tilu (f, 12)	Poor, no study	2	"	2	OK, work injuries
40. Sunu (f, 14)	Poor, large family	2 (dropped)	Employer came	4	Some abuse
41. Laxu (f, 14)	"	1 (")	"	5	"
42. Rimu (f, 15)	"	2 (")	"	5	OK, work injuries
43. Bidu (f, 12)	"	2	Through relatives	1	"
44. Khuiu (f, 11)	"	0	Through father	2	"
45. Shive (m, 16)	Poor, no study	2 (dropped)	Employer came	4	"
46. Site (m, 13)	"	2	Through father	3	"
47. Kabu (f, 12)	"	2	"	2	"
48. Sabu (f, 13)	"	2	"	2	Some abuse
49. Kane (m, 13)	"	3	Employer came	3	OK, work injuries
50. Dine (m, 11)	"	1	Through relatives	2	"
51. Somu (f, 14)	Poor, large family	(dropped)	"	4	"
52. Basu A (f, 16)	"	0	"	7	Serious abuse
53. Ramu (f, 16)	"	3 (dropped)	Employer came	6	Some abuse
54. Samju (f, 14)	"	2 (")	Through father	3	"
55. Kalpu A (f, 16)	"	2 (")	Employer came	6	"
56. Ratu (f, 16)	"	1 (")	"	5	"
57. Mitre (m, 15)	"	0	Through father	6	OK, work injuries
58. Ane (m, 16)	"	3 (dropped)	"	6	"
59. Sanje (m, 17)	"	0	"	7 (stopped)	"
60. Phiru (f, 14)	"	2 (dropped)	Employer came	3	"
61. Shatu A (f, 15)	"	0	"	5	Some abuse
62. Anju (f, 12)	Poor, no study	2	Through relatives	2	OK, work injuries
63. Kamu A (f, 14)	Poor, large family	0	Employer came	4	Some abuse

Notes:

- 1) Household Conditions and Personal Health and Wellbeing point out only one or two aspects out of many troubling circumstances in children's lives. Poor refers to not having enough daily meal for the family, and 'no study chance' means children could not attend school from home so they moved to employers with the hope of studying. Likewise, Some Abuse, for boys, refers to scolding badly or beatings by their employers, but for girls, it refers to beating and inappropriately touching them, and Serious Abuse implies attempted or actual rape cases.
- 2) Grade Passed implies a) children who have never been to school (0), b) those who left after some time (dropped), and c) those who are continuing (e.g. 2, 3).

- 3) Contacting Employer refers to the process by which children go away to work as a *haliya* or a *kamaiya*. In most cases, children's parents, relatives and employers are simultaneously involved in sorting out 'job' for them.
- 4) In the column Haliya or Kamaiya for Years, Casual refers to children, who initially worked as a regular *haliya* or a *kamaiya*, but as they grow older they start to work infrequently, often changing their *kisan* from one farming season to another; they may also work in brick-kilns or as manual labourers.

3g3) A Short Profile of Selected Haliya/Kamaiya Children

Bhabu (aged 13) does not have parents or siblings. Her aunt and uncle, who told her that her parents died of an unknown sickness when she was very small, raised her. About two years ago, she met her *maliknia*, who offered her education, so she decided to come with her because she was unhappy with the negative treatment she received from her uncle's family. Throughout my field study, she informed me that her *maliknia* and her children treated her like their own family, and was very pleased to live with such a nice family.

Bidhe (aged 16) has 3 older sisters and 2 younger brothers. Because of his parents' health problems, he has become one of the main breadwinners for the family. While continuing *haliya* contract during the farming seasons, recently he has also started to work in the brick-kilns to earn extra cash. However, he cannot work every day because he was born with a defect in his right ankle, which makes walking and carrying heavy loads quite difficult. He wished to become a driver, but was unsure whether his *kisan* would help him.

Jibe/Sume (aged 9/11) have a little sister at home, but they had to start working as *haliya* much earlier than many of my participants. They could not stay with their alcoholic parents, who were quarrelling with each other and neighbours; they could not get proper food/clothes and, instead, would be scolded and beaten. Given this situation, they appeared to be happy with their *kisan*, but were worried about the future because their parents do not treat them properly even when they hand over their meagre earnings. When I first met them in October 2006, Sume had already been working for almost two years, and Jibe joined his

brother 7 months ago. When I inquired about their situation again in October 2007, they still preferred to live with their *kisan* than going home to their parents.

Saru (aged 15) has a young brother and a sister. She was working as a street vendor alongside her parents, but she accepted *haliya* work when her current *maliknia* offered her an education. Although she was working for over 15 hours a day, still claimed that she has passed her 3 years of primary education, and will continue up to secondary level. She was aiming to become a traffic police officer for which her *maliknia* has promised to help her. While she was in conflict with her father because he was asking her to earn income as *haliya* or manual labourer, she seemed to have complete faith in her *maliknia* and convinced her father to allow her to continue what she is doing for the next several years.

Katte (aged 16) has 3 younger brothers. Until about a year ago, he was only doing seasonal *haliya* work, but now he also combines it with brick-kiln work during the off-farming period. Katte was one of the few *haliya* children who wished to study as a *haliya*, but he did not succeed. In fact, his mother forcefully sent him to a *kisan* when he was about to join second class/grade. Although Katte was content with his earnings, he had taken advance loans from the factory owner to buy foodstuffs and failed to pay them back. He was thinking of going to Punjab (India) with some young people from his neighbourhood to earn a better income.

Kiru (aged 10) came to her *kisan* through her grandfather's link. She was promised of education in return for helping her *maliknia* with domestic chores. Through a distant relative, I was able to visit Kiru's employers, and noticed that the caste discrimination was very strong (e.g. she could not enter the kitchen area). However, Kiru told me in all three interviews taken in different times and away from her employers that she is very happy to be with her *kisan's* family. She said her lodging/food situation was good, she did not have to work very hard, and that she can go to the school. Kiru seemed to have got the sorts of things that all my participants expected before coming to their *kisan's* house.

Anu (aged 14) has 2 older brothers and a young sister. Her parents have sent their sons to school while she had to become a *kamaiya* girl. She was aware of

this discrimination, but did not mind because her *kisan* also promised her to send to school. Anu was comparatively happier than most of my participants. She was not even bothered by the amount of work she had to do because her employers treated her well. She wished to continue her work and study as long as possible.

Basu (aged 16) has one younger brother and 2 sisters. Her father has 3 children from a previous marriage, but her stepmother and stepsiblings live in another village. As the oldest girl in the family, Basu had become a *kamaiya* from an early age. Her father could not work every day to support the family because he had health problems, but he was also getting old (almost 20 years older than her mother, who is her late 30s). When I first met Basu, she had been working as a *kamaiya* for at least 6 years. As an illiterate girl, she appeared determined to support her family and to learn vocational skills (e.g. sewing, knitting), but in the third phase of my fieldwork, I found her married and working alongside her husband in the construction site.

Darse (aged 12) has an older brother and 2 younger sisters. His father works in India, and the two brothers were working for a two different *kisan* families. Darse was working not so far from his village so he could often come home, but his brother came only during the festival times, which is why I was not able to interview him. When his father enrolled him to school, Darse did not like it because he was scolded and beaten up by the teacher. However, after a few years of *kamaiya* work, he again wanted to join the school, but now, he was earning a good income for the family so his father was not keen on educating him

Kalpu A (aged 16) has one younger sister and two brothers. She accepted *kamaiya* work because of the educational offer, but the price was heavy. Although she was enrolled at the school, she could not attend the classes regularly, and she was often given so much work that she could not finish her homework. Even then she felt like one of the luckier *kamaiya* girls, and was proud in mentioning that she is now studying at class/grade four and was also earning something for the family. Although Kalpu A denied it, by the end of my fieldwork I was hearing that her parents were arranging her marriage, and this meant she would not be able to continue her studies.

Lalu A (aged 15) has two younger and 3 older sisters, and two older brothers. Like everyone else in the Nayajib settlement, her family got five-*kattha* land as a part of government's efforts to rehabilitate bonded workers. She looked after the land and a small hut, and was involved in daytime (6 am-6 pm) *kamaiya* labour for at least 6 years. She was illiterate, but was angry that the anti-*kamaiya* law did not explicitly ban children's work, and that children like her had to only work without schooling. Lalu A informed me that she might have to work as *kamaiya* much longer than other children in her neighbourhood because none of her older siblings were married, and she had to contribute to the family income, besides waiting for her turn to marry. Although she was not very happy to be a *kamaiya* girl, her father was receiving a good income from her work, which was also the reason why she has not changed her current *kisan* for several years.

Mayu (aged 13) is the youngest child in her family, but her parents were indebted from the dowries they had to pay for her two sisters' marriages. In order to pay the debt, her parents were engaged in seasonal labour in nearby villages, and Mayu was working for a *kisan* to receive some income and *adhiya* land. She was angry about the fact that she could not get a chance to study, and was also sad because her employers did not treat her well. At the same time, she took the family duty above her own wishes and continued to work as a *kamaiya*.

Raju (aged 15) has an older brother, and a younger brother and 3 sisters. Her father had gone to India for unskilled labour, and her mother stayed home and carried out seasonal work in the neighbourhood. Raju did not have a good relationship with her mother and older brother because they frequently scolded and often beat her. She was more attached to her father, but he came home only every 6 months. When she became a *kamaiya* girl, Raju remained with her *kisan*'s family even when she was scolded and beaten. After working for about 5 years, she met a boy from her village, who was also working next door to her *kisan*, and decided to run away with him. A year later, her husband, who was now somewhere in India, told her that he does not want her. She had nowhere else to go and had to come back to her family home and wait there for her father so that she could also go to India to work.

Samju (aged 12) has 3 younger brothers and an older sister. Her father was combining seasonal farm work with construction labour in town. While her older

sister was working at someone's house in Kathmandu, Samju was sent to a *kisan* because her parents could receive *adhiya* land to produce foodstuffs. Her employer promised to send her to school, but when she started to work, he did not enrol her. Then she changed her first *kisan* at the end of the annual contract, but the current one also did allow her to study so she decided to concentrate on earning some income for her family without the education.

Sague (aged 16) lives with his mother, older brother and his wife. His father died when they were very young, and his mother had struggled to raise them. For the last 6-7 years, his brother has been acting as the household head because his mother is unable to work. He told me that he wanted to study, but his brother forced him to become a *kamaiya* to help the family. He was content with the workload and the payments, but he wanted to migrate to the city with his friends to do something else. At the same time, he was too afraid to make decisions because he was frightened of his brother, who often beat him up.

Shive (aged 16) has 4 younger siblings (2 brothers and 2 sisters). He was one of the few children from Nayajib settlement who has managed to complete primary education while working as a *kamaiya*. It might be because of his education that he often had different viewpoints about his community and *kamaiya* system. He was particularly unhappy with his villagers, including his own parents, having many children when they cannot even feed them. While Shive was happy to be able to study, he was worried whether he would be able to continue because if his parents demanded more income or the *kisan* does not want to send him to school, he would find it hard to continue his education.

Sunu (aged 14) has 1 older brother and 2 younger sisters. Her father and brother were in India doing unskilled work, but she worked for a relatively wealthy *kisan* who owned restaurant businesses in the town, as well as farmland in two different villages. Sunu had to take on multiple roles (i.e. she divided her time between her employer's homes, restaurants, and farm). Despite complaining about bad treatment, she was able to send some money and second hand clothes to her family. However, after working as a *kamaiya* for 4 years, she had eloped with a village boy when I met her for the second time in January 2007. She told me that she wants to go to India with her husband so that they can escape from the villagers' disapproval of their elopement.

Thage (aged 16) has a younger brother and a sister. He went to the *kisan*'s house at the age of 9, but his household responsibly greatly increased when his father died of an unknown illness. He was one of the few *kamaiya* children who could not think of studying because he had to struggle for his survival. He wanted to help his siblings to study, but was unable to with his current earnings. Since Thage had always worked for the *kisan*, he also could not see himself of going elsewhere to do other work in the future. Unlike other children, he had not changed his employers frequently, and, in fact, said that moving around made it hard to build trust and hence he would earn less income, and getting loans would become very difficult in the case of emergencies.

3g4) Interviews with *Haliya*/*Kamaiya* Children's Parents

Mune (81) claimed to be the oldest living Musahar man in the Bayibab village. With some 30 plus children, grand-and great grandchildren, he was able to talk about the stories of several generations. Although he claimed that he never worked as a *haliya* (as he was a mobile vegetable vendor), his community, including his own children and grandchildren continue to work as *haliya* labourers. Mune said he was not in good terms with the *kisan* community because he tried to get back his land lost mysteriously by his father, and also discouraged people from becoming a *haliya* just to get daily meals. He was also unhappy with his own ethnic group, especially the younger generation, because he claimed they forget their family duties, and were losing trusts with employers, and unconcerned with improving the future.

Kale (60) worked all his life as a *haliya*, and left the work only after his employer told him that he is unfit. Many of his children and grandchildren (he was not sure how many he had), have taken over his work although some have migrated to the cities and some also work in brick factories. In analysing the income from different forms of work, Kale was more positive about *haliya* work than older men like Mune. He was particularly pleased with the guaranteed food to the family, and also the fact they he lived and worked together with his family (Musahar people generally live within walking distance of their employers).

Bahe (56) has been working all his life as *haliya* though his children and grandchildren have also taken up other jobs like brick-kilns work, or street vending. Bahe was particularly worried about the attitudes of young people, and he blamed that on their ability to migrate elsewhere for work and coming home with drinking and gambling habits. Such behaviours led to less trustworthy relationship with local *kisan*, he claimed, who feel uneasy about giving loans to such youngsters, making life difficult even for those honest workers. He believes that education could change this situation, but is also well aware that only a few Musahar ever attend school. As for *haliya* labour, he does not see it negatively because the other alternatives are also not easy, and moreover, there is no guarantee of a better wage.

Chhile (65) worked all his life as a *haliya* labourer, as do many of his children and grandchildren. Like Mune, his parents had lost their land, which he believes resulted from their illiteracy. He said until recently Bayibab was mostly marshland, prone to severe malaria, and there were no other work opportunities if one did not have land. As such, he became a *haliya* and lived in *bukura/kothar* [a house in *kisan*'s land] until the early 1990s. He had to move out because his family was getting too big, and the *kisan* was not happy keeping everyone on his property. The construction of roads, and other infrastructural projects also helped them find other kinds of jobs, though the wages were lower than that of a *haliya*.

Jage (63) worked as a *haliya* even after his family left *bukura/kothar*, he continued to work for the same *kisan*. Like everyone else in his community, his children and grandchildren are involved in various types of unskilled work, including in seasonal and annual *haliya* contracts. Jage claimed to have occupied a large piece of land by clearing the forest, and blames a local government official, for cheating him by registering his land in someone else's name. He argues that his illiteracy and not having a *nagarikata* (citizenship card) were the two main reasons for losing his land. He was enthusiastic about education in order to improve his family situation, but unfortunately, none of children could attend a school, and most of his grandchildren did not seem to 'enthusiastic' about going to the school which exists nearby.

Manu (62) worked as *kamlariya* until the government banned it in 2000. Her husband had died in the late 1990s while they lived in *bukura/kothar*. She had many children, but only her son survived, who is now taking care of her. She was not happy with the current situation because her son has gone to India and her daughter-in-law does not care about her or the two grandchildren. She told me that her daughter-in-law drinks with other villagers and flirts with other men. She was of the opinion that when *kamaiya* families came to settle in Nayajib, many of them lost moral values and work habits.

Bane (59) worked as a *kamaiya* labourer until the government banned such a practice. Unlike other *kamaiya* men, Bane said that they were not original inhabitants of Bardiya districts. He believes some Tharu families, who were already in the district, had links with the government because they were collecting tax and in return they could occupy a large area of forest. Over the years, when they needed other people to work for in their farms, Bane remembers them coming to Dang district (200 kilometres east) searching for Tharu workers. Several families from his village migrated to work in agriculture in Bardiya. He says that they also cleared the forest and they were also supposed to get a piece of land to settle. Unfortunately, his family later found out that their employers had registered the land in their own names, and some had even been given it to *pahadiya* [hill] migrants, forcing people like Bane to work as lifelong *kamaiya* labourers. Finally, in the 2000, Bane heard that *kamaiya* system was banned and his family were thrown out by his *kisan*, but he did not receive the land needed to support his large family. He argued that, as there is no 'free' land to work on, his illiterate children (and grandchildren) found it very hard to make their living. Like other elders, Bane admitted that lack of work is causing many adults, including some of his own children, to get involved in bad things like drinking and playing around. Bane thought that people in Nayajib are worse off now than they were being *kamaiya* labourers and yet he was unsure how *kamaiya* families would improve their lives.

Sitae (43) lives in Nayajib with his wife and 9 children. He worked, together with his family, as *kamaiya* until the government intervention in 2000. When he was asked to leave his *kisan*, he believed that the Nepal Maoist Party rebels, then were waging a so-called 'people's war,' wanted him to take part in fighting. In the

temporary camp he met thousands of freed *kamaiya* families, and eventually his family (along more 400 others) were moved to Nayajib settlement. Although the hardships were much greater than being a *kamaiya*, he tried everything, including sending two children to work for this former *kisan*, to meet the family's needs. He became a chief of the community in order to sort out various social problems, including family disputes, child marriages, alcoholism and gambling, but appeared frustrated about the lack of positive role models in his community, especially among younger people. In fact, he was angry at his own son's lack of regard for the family.

3g5) Conversations with Haliya/Kamaiya Children's Employers

Maratis (54) lives with his wife and four children. Although he owns less than 3 *bigha* land, which is not a lot according to village standards, he and his family barely worked in the field because he used to keep several *haliya* labourers. He kept a *haliya* family in the *bukura/kothar* and hired additional *haliya* labourers during planting and harvesting seasons. Most of the workers did not demand cash wages, but food and clothes. Even if he had to pay cash, it was very cheap. As NGOs became increasingly active in the late 1990s, especially after the government banned *kamaiya* system, Maratis says, hiring *haliya* (and in particular keeping his whole family in *bukura/kothar*) became legally problematic and economically costly. He further argues that the continuous political turmoil, which allowed various factions to use poor people as weapons, has made Musahar into opportunists and less reliable. While his neighbours have kept Musahar children, in place of their adult family members, Maratis eventually abandoned annual contracts, and instead started to hire *haliya* labourers during farming periods by providing them with advance loans in times of food shortages (i.e. during March-May months). In this way, he feels secure about his labour needs (though he remains open to hiring children without payments).

Babue (57) is a relatively well off person in Bardiya district because his family owns 4 *bigha* land, a house in the district capital, and a shop in the Banke district

capital. His sons are well-educated, and work in high-ranking government posts. Babue has hired two girls, who work in the house as well as on the farm, but their parents also work for him during farming periods as a part of *adhiya* deal. During our conversation, he proudly explained that he has allowed the girls to attend school, and also pays a generous income of foodstuffs and *adhiya* land to their families.

Kishe (34) runs a hotel business in the capital of Bardiya district together with his wife. He also has agricultural land, but does not have enough people to help him out (as his 3 children attend a private school). So, he hired a Tharu girl to help him in the hotel and to take care of his children, and a boy (also a Tharu) to look after his animals and the farm – though they both share the work between hotel and farm. Of course, everyone, including Kishe's family, must work in the farm during the planting and harvesting periods. Besides food, he pays NRs.600 for the boy and NRs.400 for the girl (whose parents come to take the income, often, in the form of foodstuffs.). Kishe says that people often come to him asking to work only for food so, by implication; he suggests that he is being a generous employer because he pays his *kamaiya* children a fixed amount.

3g6) Views of Some NGOs Personnel Involved in Bonded Labour Issue

Kule (45) is a local government employee, who was also involved in the rehabilitation programme, including land distribution, when the government banned the *kamaiya* practice in July 2000. Kule argued that landlessness is a problem for some families, and that a few people, who were actually not landless, were able to claim land by manipulating the system. He stressed that it makes a little sense for *kamaiya* families to argue that they have not enough land when 10 percent of the country's population owns less than the five-*kattha* land that the government gave them. Kule said that there is not a day when people do not come to this office claiming to register as *sukumbasi* (landless) or a *kamaiya* whereas the government does not have any land to give them (except the national parks). He believed that NGOs have also supported freed *kamaiya*

families very well and that the latter should try hard to come out of overdependence by taking advantage of the current programmes and trainings.

Lale (39) works for a foreign NGO, which is focused on formal and informal educational programmes in rural Nepal. His NGO has been involved in providing educational materials, including early childhood educational programmes, in a number of selected settlements where freed-*kamaiya* families are settled. Lale was shocked when I informed him about the people in my fieldwork area, Nayajib, who did not mention the support provided by his NGO. Being one of the most densely populated settlements, according to him, a huge amount of money has been spent there to send all children to the government school. Lale suspected that the reason that the locals do not tell of the support given by NGOs to a newcomer is because they expect to gain something.

Tike (36) works for a local NGO, which aims to empower freed-*kamaiya* families by offering short-term vocational training (e.g. tailoring, groundwater pumping, population and health awareness, etc.). He was frustrated with a lack progress among those who got involved in his project, and also the lack of appreciation for the external help. He said that *kamaiya* families always expected new things and new projects from an NGO, but they do not think it was important to utilise it properly when offered to them. He gave an example of a sewing training programme in which 60 young people (most girls) were enrolled for a year. He said that many of the machines were broken down within first three months, and even the teacher (also a *kamaiya*) was irresponsible concerning the proper use of training materials. By the time the programme was half way through, Take argued, about two third of trainees had stopped coming, and by the end the program only 6 were qualified to get a certificate, but almost everyone had come to ask for a certificate on the day when it was distributed. For Tike, changing the attitudes of freed *kamaiya* was the biggest problem for any NGO seeking to successfully implement their projects.

Prake (34) works for a one of the largest foreign NGO in Nepal. He is not only aware of the *haliya/kamaiya* problem, but has also visited *kamaiya* settlements to oversee the projects supported by his NGO. Like Tike, Prake has also found it difficult to work with freed *kamaiya* families because most of the projects do not last long enough. He gave as an example the underground water pumps (known

as tubewell pumps). His NGOs had successfully installed 100s of tubewell pumps, which were guaranteed to last for least five years, and also trained the local men to look after them in case of a minor breakage/leakage. When Prake went back to make a field observation a year later, they found out that almost a half of the tubewell pumps were not functioning, and people had not fixed even small nuts and bolts. He said the local chiefs requested him to give them new and stronger tubewell pumps instead of seeking to repair them.

3h) Re-interviewing *Haliya/Kamaiya* Children

(The aim of this interview is to clarify some issues expressed by haliya/kamaiya children in earlier interviews, and in particular to explore their life world after leaving bonded labour and their perceptions of their former work).

When I talked to you last year, you said, 'any child living and working for someone else is a *haliya/kamaiya* regardless of whether it is the domestic work or agricultural.'

- a) How do you define a *haliya/kamaiya* now?
- b) What other names are used to describe a *haliya/kamaiya*?

Last time, you complained that your parents are free, but you are forced to take over their *kamaiya* work (ONLY FOR KAMAIYA CHILDREN).

- a) What makes you think that your parents really free?
- b) What are your parents (and older siblings) doing since they were freed?
- c) How did/do you spend a day?
 - a. Types of work, daily tasks, school, free (make a timeline)!
- d) Why do you think that children like you have to work as a *kamaiya*?

In our group discussion, as you might remember, there were many girls working as a *kamaiya*, and not so many boys (ONLY FOR KAMAIYA CHILDREN).

- a) What are the reasons for more girls becoming a *kamaiya*?
 - a. Why do you think you have to work as a *kamaiya*?
- b) Do your parents look at sons differently from daughters?
 - a. What do parents expect of girls and boys?
- c) And why are not all your siblings working a *kamaiya*; or what are they doing?

In our group discussion, as you might remember, there were many boys working as a *haliya*, and not so many girls (ONLY FOR HALIYA CHILDREN).

- d) What are the reasons for more boys becoming a *haliya*?
- e) Do your parents look at daughters differently from sons?
- f) And why are not all your siblings working a *haliya*; what are they doing?

Last time, NGOs like Plan claim that they are helping children like you to attend government school (i.e. they give dress, books, and stationary materials), but you did not tell us anything about it.

- a) (As a part of wider discussion on schooling), what are the reasons for not talking about it?
- b) Why do you think many children are not attending school (even if they are helped)?

Last time, most *haliya* children like you told us that they were happy to be with their *malik* than with their own family (ONLY FOR HALIYA CHILDREN).

- a) Do you still think this?
- b) What do you think are the reasons that make them happy to stay with their *malik*?
- c) Can you tell us other reasons that make them unhappy to be with their *malik*?

Last time, most *kamaiya* children like you told us that they were unhappy to be with their *malik* (ONLY FOR KAMAIYA CHILDREN).

- d) Do you still think this?
- e) What do you think are the reasons that make them unhappy to stay with their *malik*?
- f) Can you tell us other reasons that can make them happy to be with their *malik*?

Last time, children like you told us about physical abuse (also rape) when working as a *haliya/kamaiya*, and some drank alcohol or smoke *churot* (cigarettes) hoping to forget their shame and pain.

- a) Can you tell us a story like physical abuse or rape? (Watch out for ethical issues!).
- b) What did the boy/girl do to overcome the abuse?

Last time, many children like you told us that working for a *malik*, as a *haliya/kamaiya* is not a problem if they could attend government school.

- a) What is your opinion on working as a *haliya/kamaiya* and also joining a government school?
 - a. What would you like doing?

Will you succeed in achieving your goal (e.g. teacher/nurse)?

- b. If not or unsure, what things will prevent you from reaching your goal?

What do you expect to be doing?

- b) What other things could children like you do to make their future better?
- c) What should your parents, NGOs, and government do to help *haliya/kamaiya* children?

It has been more than a year since we talked to you, and may be many things may have changed in your village, your family, and with yourself.

- a) Can you tell us what positive (or negative) changes have happened around you until today?
 - a. Tell me about a good thing?
 - b. Tell me about a good thing?
- b) Only for those who have completely stopped working, what have you been doing since you stopped working as a *haliya/kamaiya*?
 - a. What do you think about the *haliya/kamaiya* work now?

What are your happy memories of *haliya/kamaiya* work?

And unhappy memories?

(Follow up on activities plus time use at home and work to be further explored!)

Thank you again for your time! Do you have anything that you want to ask?

3i) Interviewing Parents of *Haliya/Kamaiya* Children

(The aim here is to interview the parents of those children who have participated in individual and group interviews earlier to understand their perspectives on the kinds of work their children are doing. Some questions may not be relevant during the actual interviews!).

1) How many sons and daughters do you have?

a. What kinds of work do your children do at your house?

How do they understand work?

1. Tell me about a day? (Make a timeline!)

2) What are the reasons that your children become a *haliya/kamaiya*?

a. If only girls, why do you send only your daughters to work as a *haliya/kamaiya*?

b. If only boys, why do you send only your sons to work as a *haliya/kamaiya*?

3) Some say that Tharu parents send their children to work as a *kamaiya* so that they can get *adhiya* land. How far is this story true?

4) From morning to evening, what kinds work do your children do in their *malik's* house/land?

5) What you get from your children working as a *haliya/kamaiya*?

a. If their children study at *malik's* house, why did you agree with this deal (rather than getting *dhan*/money)?

6) How happy do you think are your children to work as a *haliya/kamaiya*?

7) How are your children treated by their *malik* (i.e. in terms of food, clothes, sleeping place, *gali* (scolding), beating, *durbyabhar* (abuses), etc.)?

a. We heard *durbyabhar* stories of *haliya/kamaiya* girls; have you also heard stories like this?

If this happened to your daughter, how would you solve it?

8) Do you think it is good for children to work as a *haliya/kamaiya*?

a. What are you doing to make your children's life better?

b. What should your children do to change their life?

9) How has the *haliya/kamaiya* system changed since your grandparents' time?

a. ONLY FOR KAMAIYA; everyone is free after government ban on *kamaiya* system?

- b. ONLY FOR KAMAIYA; what kinds of work are (freed) adult *kamaiya* like you are doing?
- c. Many children say they are working as *haliya/kamaiya* like adults, what are the similarities and differences between children's work in your days and now?
- d. What would happen if government really forced you to stop sending children to work for someone else?

Do you have anything that you want to ask? Thank you for talking to me again!

3j) Interviewing *Haliya/Kamaiya* Employers

(The following questions, some of which many not be applicable, seek to uncover a detailed response from *haliya* and *kamaiya* employers)

- 1) How did you meet your *haliya/kamaiya/nokar/nokarni*?
- 2) What was/is the agreement between you and your worker or his parents? (E.g. to pay this or that amount of money, clothes, *dhan*, education, etc.)
- 3) What does your worker do from the morning to evening? (Ask in details!)
- 4) What are the advantages of keeping a *haliya/kamaiya/nokar/nokarni*?
 - a. And disadvantages?
- 5) They say employers treat their *haliya/kamaiya/nokar/nokarni* really badly (e.g. not giving enough/healthy food, good place to sleep, beating, scolding, sexual abuse etc.). How far is this view true?
- 6) In your view, what do children gain from working as a *haliya/kamaiya/nokar/nokarni*?
- 7) How has the *haliya/kamaiya* system changed since your grandparents' time?
 - a. What do you think of government ban on *kamaiya* system?

(Thank you for sharing your views on *haliya/kamaiya* issue!)

3k) Interviewing (Bonded) Child Labour Experts/NGOs

(Musahar/Tharu children argued that children living and working at some else's home is a haliya/kamaiya regardless of whether the contract was made for domestic work or agricultural work because they eventually have to do just about anything. For points like this one required me to explore the viewpoints of bonded child labour experts/NGOs).

- c) What is your opinion on this definition?
- d) How would you define bonded child labour (viz. *haliya* and *kamaiya*)?

Children of (former) *kamaiya* families complain that their parents are free, but they are forced to take over the *kamaiya* work.

- e) Are their parents really free?
- f) Why children are increasingly sent to work as a *kamaiya*?

The field research also found that the majority of *haliya* workers are boys while the situation is reverse for *kamaiya* children.

- g) What could be the reasons for this gender gap in these different systems?
- h) Can you share your views on children's status in Musahar and Tharu communities?

NGOs like Plan International claim that they are helping children of (former) *kamaiya* families to attend government school (i.e. they give dress, books, and stationary materials), but those participating in the research do not mention anything.

- c) What is your view on these opposing claims?
- d) Why are many children not attending school even when they receive NGOs support?

Although *haliya* children are low paid (NRs500 a month plus food and clothes max.), most of them say they are happy to be with their *malik* (than with their families), the *kamaiya* child workers better paid (4 quintals *dhan* plus food clothes max.) but they are unhappy because of the bad treatments, including rapes.

- g) Why are *haliya* children paid so low in one of the most developed district than *kamaiya*, who work in much poorer district?

- h) What is your opinion on the treatments reported by *haliya* and *kamaiya* child workers?

Most of the fieldwork participants said that they would not mind working as a *haliya/kamaiya* if they could attend school?

- d) What do you think about their aspirations?
- e) What roles should the government or NGOs take to 'uplift' *haliya* and *kamaiya* children?

(Thank you very much for sharing your views on *haliya/kamaiya* issue?)

3l) Field Data Collection and Management

Data collection locations	Methods of data handling
Face to face individual or group interviews/ discussions	Interviews/discussions were recorded using digital audio/video equipments whenever feasible Researcher and one of the assistants also made 'rough notes' during the interactions
After the end of interview	Researcher and the assistants reviewed the notes for their legibility
Back to the 'room' within the field sites	Add descriptive details to the rough notes, including interview environment, non-verbal expression of the participants Discuss the expanded notes with the assistants for clarification/verification, and prepare interview/discussion for the next day. Transcribe recorded interviews from local Maithili and Tharu languages into Nepali if/when feasible
Back to temporary home in Biratnagar and Nepalganj	Transcriptions of recorded interviews/discussions into Nepali language. Transcriptions of detailed notes into English
At the work/office desk of the researcher	Transcribed interviews/discussions into English, and entered the organised typed text documents in the computer. Read and re-read the overall transcribed field materials in both Nepali and English languages, and made corrections and added comments/explanations wherever required. After identifying major themes from the data/information, various segments of the texts were highlighted with possible codes from the coding list. The entire transcribed/typed interviews and field notes were uploaded in the word document to code and retrieve the extracts for detailed analysis and write up of the themes identified earlier.

Appendix 4: A List of *Haliya* and *Kamaiya* Terms

4a) Musahar Children's Use of Local Terminologies for *Haliya*

Haliya Terms	Approx. English*	Haliya children's understanding of the terms
1. Begar	Farm labourer	A male/female, who works as agricultural labourer
2. Bhatuwa	Free labourer	A male/female, who carries out any work (to survive)
3. Charuwa	Shepherd	A male, who herds animals, especially cows and oxen
4. Gothalo/Gothali	"	A male/female, who baby-sits/looks after animals
5. Hali/Haliya	Ploughman	A male farm labourer, especially ploughing field
6. Hari	Farm labourer	A male farm worker, including ploughing
7. Haruwa	Shepherd	A male, who herds animals, but may also work in the farm
8. Janboni/Jyaladar/Majdur	Wage labourer	A male/female farm or manual labourer elsewhere
9. Kamaro/Kamari	Free labourer	A male/female, who carries out any work (to survive)
10. Kanchha/Kanchhi [^]	Domestic worker	A male/female household worker, or attends kids/animals
11. Nokar/Nokarni	Domestic servant	A male/female household and/or farm worker

* The translation of Nepali/Musahar words into English should be taken as having an approximate meaning.

[^] The terms *kanchha/kanchhi* literally mean the youngest boy/girl child, but here it is used to call a domestic/farm helper or a young labourer. A *haliya* child may be called by other birth-line names like *jetha/jethi* [eldest], *maila/maili* [second eldest], and so on.

4b) Tharu Children's Use of Local Terminologies for *Kamaiya*

Kamaiya terms	Approx. English*	Kamaiya children's understanding of the terms
1. Badheruwa	Carer of farm	A male/female taking care of plants in the homestead
2. Bardewa/Bardiniya	Oxen herder	A male/female, who herds cows and bullocks
3. Bhaisbarwa/Bhaisbarniya	Buffalo herder	A male/female, who herds and takes care of buffaloes
4. Bukrahi	Domestic worker	A female, who works both at home and in the farm
5. Chhegar/Chhegrahawa/Chhegrahaniya	Goat herder	A male/female, who herds goats
6. Gaibarwa/Gaiyarniya	Cow herder	A male/female, who herds and takes care of cows/oxen
7. Jhara/Jharali	Free labourer	A male/female, who carries out any work (to survive)
8. Kamaiya	Ploughman	A male, who carries out all kinds of agricultural tasks
9. Kamlariya	Farm labourer	A female, who engages in farm and/or domestic work
10. Ladkakhelaiya	Domestic worker	A female, who carries out household work
11. Organiya	Baby sitter	A female, who baby-sits, including taking them to school
12. Sakhaina	Barter labourer	A male/female involved in labour exchange

* The translation of Nepali/Tharu words into English should be taken as having an approximate meaning.

About the Author

Mr. Birendra **Giri** was born in a remote hill village of Nepal, called Sapling, but obtained an International Baccalaureate diploma from the International School of Amsterdam, BA (Honours) from the Utrecht University College, a MA degree from the University of Amsterdam, the Netherlands; and MSc and PhD degrees from The Open University, Milton Keynes, the UK. The author is interested in carrying out child-centred qualitative research on worst forms of child labour, including children in debt bondage, children's health and education, poverty and inequality, migration and refugee, development aid, NGOs movement, and East/South Asian Studies.